

Memphis City Council Summary Sheet

S.U.P. 21-18 (Walker-Barnes Group Day Care Home)

A Resolution requesting a group day care home for five (5) to twelve (12) children for property located 3744 Sturgeon Avenue in Residential Single Family (R-6) District

- This item is a Resolution with site plan conditions for a special use permit to allow the above on real property located in Residential Single Family (R-6) District; and
- The Division of Planning & Development at the request of Owner(s)/Applicant(s): Dr. Tonya Walker-Barnes; and
- Approval of the special use permit will be reflected on the Memphis & Shelby County Zoning Atlas; and
- No public infrastructure improvements are anticipated by this item; and
- No expenditure of funds/budget amendments are anticipated by this item.

RESOLUTION APPROVING A SPECIAL USE PERMIT FOR THE SUBJECT PROPERTY LOCATED 3744 STURGEON AVENUE, KNOWN AS CASE NUMBER S.U.P. 21-18

WHEREAS, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to a grant special use permit for certain stated purposes in various zoning districts; and

WHEREAS, the *Dr. Tonya Walker-Barnes* filed a special use permit application with the Memphis and Shelby County Office of Planning and Development to allow a group day care home for five (5) to twelve (12) children at *3744 Sturgeon Avenue*; and

WHEREAS, the Office of Planning and Development has received and reviewed the special use permit application in accordance with procedures, objectives, and standards for special use permits as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation concerning the above considerations to the Land Use Control Board; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on *Thursday, October 14th, 2021*, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the special use permit application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Office of Planning and Development and has determined that said development meets the objectives, standards and criteria for a special use permit, and said development is consistent with the public interests.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted to allow a *group day care home for five (5) to twelve (12) children* in accordance with the attached *site plan and conditions*.

BE IT FURTHER RESOLVED, that this special use permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all site plan conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

S.U.P. 21-18
Walker-Barnes Group Day Care Home

Site Plan Conditions:

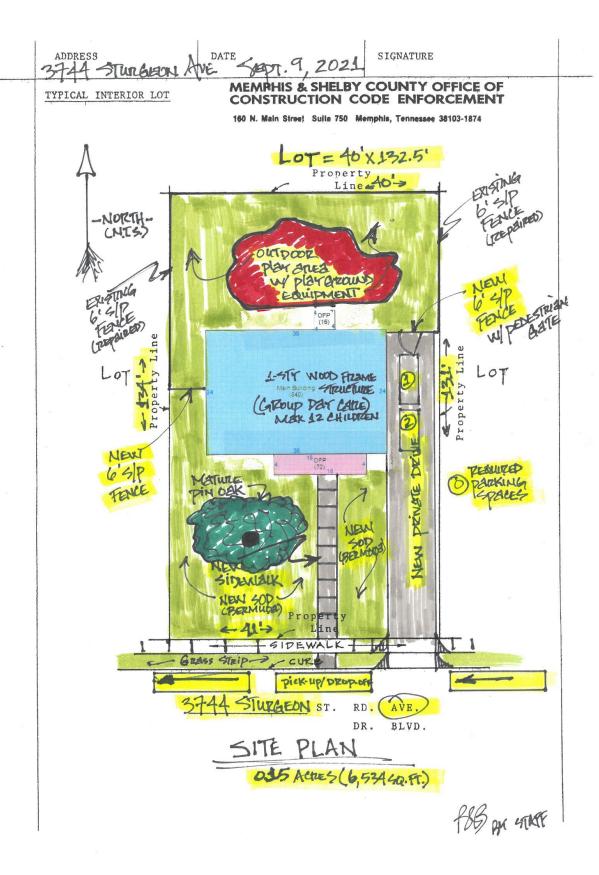
- 1. A special use permit to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to conditions approved by the Board of Adjustment for companion case B.O.A. 21-111 (City).
- 2. The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment and the Land Use Control Board for review and approval or administrative review and approval by Division of Planning and Development.
- 3. This special use permit shall expire in three (3) years, at which point the applicant may seek a renewal.

S.U.P. 21-18
Walker-Barnes Group Day Care Home

ATTEST:

cc: Division of Planning and Development
Land Use and Development Services
Office of Construction Code Enforcement

SITE PLAN



LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, October 14th, 2021*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: S.U.P. 21-18

LOCATION(S): 3744 Sturgeon Avenue

COUNCIL DISTRICT(S): District 4, Super District 8-Positions 1, 2 & 3

OWNER(S)/APPLICANT(S): Dr. Tonya Walker-Barnes

REPRESENTATIVE: Dr. Walker-Barnes

REQUEST: Special use permit to allow a group day care home for five (5) to

twelve (12) children

EXISTING ZONING: Residential Single Family (R-6) District

AREA: 0.15 Acre (6,534 sq. ft.)

The following spoke in support of the application: None

The following spoke in opposition of the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval of the application with site plan conditions on consent.

The motion passed by unanimous vote of 7 to 0 on the Consent Agenda.

Respectfully,

Brian S. BacchusPrincipal Planner

Land Use and Development Services
Division of Planning and Development

Cc: Committee Members

File

S.U.P. 21-18
Walker-Barnes Group Day Care Home

L.U.C.B. Site Plan Conditions:

- 1. A special use permit to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to conditions approved by the Board of Adjustment for companion case B.O.A. 21-111 (City).
- 2. The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment and the Land Use Control Board for review and approval or administrative review and approval by Division of Planning and Development.
- 3. This special use permit shall expire in three (3) years, at which point the applicant may seek a renewal.

S.U.P. 21-18
Walker-Barnes Group Day Care Home

City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

BOARD OF ADJUSTMENT NOTICE OF DISPOSITION

TO: Dr. Tonya Walker-Barnes 530 Old Hearthstone Circle-North

Memphis, TN 38017

DATE: Thursday, September 23rd, 2021

DOCKET: B.O.A. 21-111 (City)
ADDRESS: 3744 Sturgeon Avenue

Sent via electronic mail to: tdwalker08@yahoo.com

On <u>Wednesday, September 22nd, 2021</u> the Memphis and Shelby County Board of Adjustment recommended 'Approval' of your application requesting a 'Variance from Paragraph 2.6.2B (1) to allow a group day care home on a minor local street not within 150 feet of a major arterial street', subject to the attached site plan and the following site plan conditions:

- 1. A non-use variance shall be permitted to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to Land Use Control Board review and approval of companion case S.U.P. 21-18.
- The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment for review and approval or administrative review and approval by Division of Planning and Development.
- 3. This variance shall expire in three (3) years, at which point the applicant may seek a renewal.

ALL APPEALS AND APPLICATIONS GRANTED ARE EXPRESSLY CONDITIONED UPON THE APPLICANT OBTAINING THE PERMIT REQUESTED OR OTHER ORDER WITHIN TWO (2) YEARS FROM THE DATE OF THE DECISION OF THE BOARD OF ADJUSTMENT, UNLESS THE BOARD EXPLICITLY PROVIDED A DIFFERENT TIME FRAME IN ITS DISPOSITION.

If you have questions concerning this approval, please email <u>brian.bacchus@memphistn.gov</u> or by direct phone at **(901)** 636-7120 for further instructions.

Respectfully,

Brian S. Bacchus, Principal Josh Whitehead, Secretary Board of Adjustment

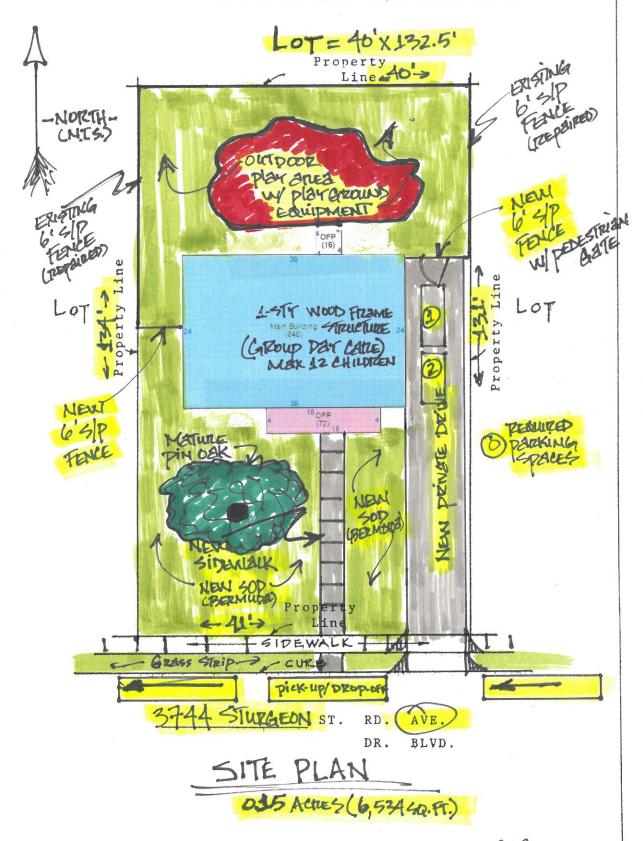
Rick Meister, Plans Manager, OCCE File: B.O.A. 21-110 (City)

SIGNATURE

TYPICAL INTERIOR LOT

MEMPHIS & SHELBY COUNTY OFFICE OF CONSTRUCTION CODE ENFORCEMENT

160 N. Main Street Suite 750 Memphis, Tennessee 38103-1874



follow 47Kg





City Hall - 125 N. Main Street, Suite 468 - Memphis, Tennessee 38103 - (901) 636-6619

October 18th, 2021

Dr. Tonya Walker-Barnes C/o Walker-Barnes Group Day Care Home 530 Old Hearthstone Circle-North Collierville, TN 38017

Sent via electronic mail to: <u>tdwalker08@yahoo.com</u>

RE: OPD FILE #: S.U. P. 21-18

L.U.C.B. RECOMMENDATION: Approval with Conditions

Dear Tonya,

The Memphis and Shelby County Land Use Control Board on *Thursday, October 12th, 2021*, recommended 'approval' of your special use permit application to allow a 'group day care home for five (5) to twelve (12) children' located '3744 Sturgeon Avenue', subject to the attached conditions.

The Memphis City Council will review the special use permit application in Planning and Zoning Committee meeting prior to voting in public session. The applicant or the applicant's representative(s) shall attend all meetings and public sessions. At least two (2) weeks after receiving this letter, please contact the City Council Records office to determine when the application will be scheduled for committee and in public session. The Council Records office phone number is (901) 636-6792.

If for some reason you choose not to go forward with the application, a letter should be mailed to the Office of Planning and Development at the address provided above. If you have questions or concerns regarding this matter or of any necessary submittals, please call me at (901) 636-7120 or you may contact me via email at brian.bacchus@memphistn.gov.

Sincerely,

Brian S. Bacchus, Principal Josh Whitehead, Secretary, LUCB Division of Planning and Development

CC: File: S.U.P. 21-18

S.U.P. 21-18 Walker-Barnes Group Day Care Home

- 1. A special use permit to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to conditions approved by the Board of Adjustment for companion case B.O.A. 21-111 (City).
- 2. The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment and the Land Use Control Board for review and approval or administrative review and approval by Division of Planning and Development.
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S.U.P. 21-18
Walker-Barnes Group Day Care Home

AGENDA ITEM: 2

ADDENDUM

CASE NUMBER: S.U.P. 21-18 L.U.C.B. MEETING: October 14th, 2021

(Companion: B.O.A. 21-111) (Held from August 12th and September 9th, 2021)

DEVELOPMENT NAME: WALKER-BARNES GROUP DAY CARE HOME

LOCATION: 3744 Sturgeon Avenue

COUNCIL DISTRICT(S): District 4: Super District 8-Positions 1, 2, & 3

OWNER/APPLICANT: Dr. Walker-Barnes, Tonya

REQUEST: Special Use to allow a group day care home for five (5) to twelve (12) children

AREA: 0.15 Acre (6,534 sq. ft.)

EXISTING LAND USE & ZONING: Single family structure in Residential Single Family (R-6) District

STAFF ANALYSIS:

On Thursday, August 12th and September 9th, 2021 the staff recommended and the Land Use Control Board granted a one (1) month hold of this special use permit application, because the most important submittal requirements for a site plan illustrating the location of outdoor play areas, private drive, pick-up and drop-off area, including a handicap ramp had not been met. Furthermore, the subject property required a variance from the Civic Use standard in Paragraph 2.6.2B (2) of the zoning code due to its location on a minor local street and more than 150 feet west of an arterial road, Getwell Road. The property is located approximately 495 feet east of a connector street. Robin Hood Lane.

A variance from the Civic Use standard above in the zoning code was submitted to and reviewed by the Board of Adjustment on Wednesday, September 22nd, 2021 to locate the group day care home within the neighborhood. The project review by staff was completed and recommended by staff and approved by the Board of Adjustment for a period of three (3) years. In addition, a site plan has been submitted for review by staff. Therefore, staff recommends approval of a group day care home as illustrated on the site plan with a time limit placed on land use by the Board of Adjustment.

CONSISTENCY WITH MEMPHIS 3.0

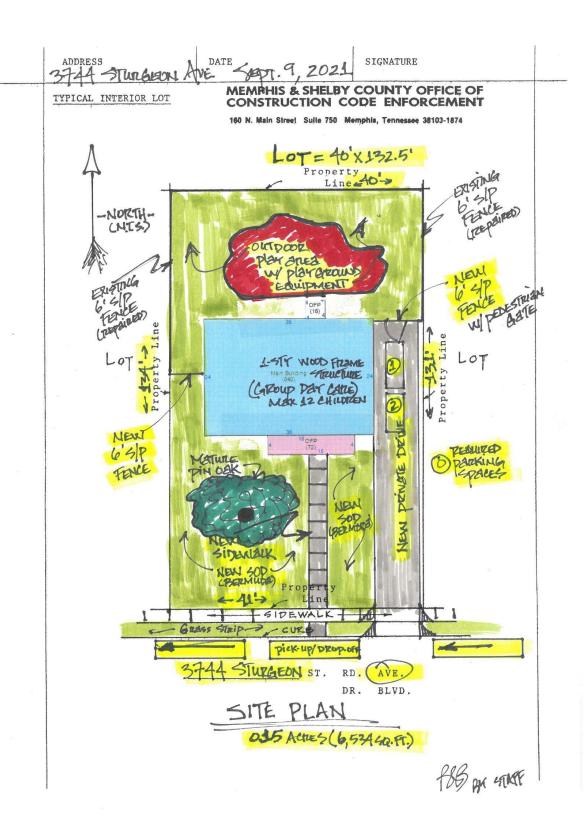
Based on the information provided, the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

DIVISION OF PLANNING & DEVELOPMENT RECOMMENDATION:

Approval with Conditions

Staff Planner: Brian Bacchus Email: brian.bacchus@memphistn.gov

B.O.A. SITE PLAN



S.U.P. 21-18 Page 3
STAFF REPORT October 14th, 2021

Recommendation: Approval with Conditions

- 1. A special use permit to allow a group day care home on a minor local street not within 150 feet of an arterial street as illustrated on the site plan and subject to conditions approved by the Board of Adjustment for companion case B.O.A. 21-111 (City).
- 2. The site plan as recommended by staff shall be the approved site plan and any changes or deviations to the site plan upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment and the Land Use Control Board for review and approval or administrative review and approval by Division of Planning and Development.
- 3. This special use permit shall expire in three (3) years, at which point the applicant may seek a renewal.

S.U.P. 21-18 Walker-Barnes Group Day Care Home

Bacchus, Brian

From:

Bacchus, Brian

Sent:

Thursday, October 07, 2021 5:01 PM

To:

Glenn Little

Subject:

RE: 3744 Sturgeon Avenue S.U.P. 21-18

Hello Mr. Little,

No, only used for a group day care home by special permit for this applicant.

If the land use is approved by the City Council or if the use ceases, the property will still maintain the single-family residential zoning status.

Thanks for the inquiry,



Brian S. Bacchus

Principal Planner, BOA, LUCB & MLC Land Use & Development Services Division of Planning and Development 125 N. Main St.-Suite 468 Memphis, TN 38103 Phone: 901-636-7120

Email: brian.bacchus@memphistn.gov



Visit our website

From: Glenn Little [mailto:oldsouthproperties@gmail.com]

Sent: Thursday, October 07, 2021 1:11 PM

To: Bacchus, Brian < Brian.Bacchus@memphistn.gov>

Subject: 3744 Sturgeon Avenue S.U.P. 21-18

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon!

I have a question, if this address is indeed passed for a daycare .. does that mean it will be zoned commercial?

AGENDA ITEM: 16

CASE NUMBER: S.U.P. 21-18 L.U.C.B. MEETING: August 12th, 2021

DEVELOPMENT NAME: WALKER-BARNES GROUP DAY CARE HOME

LOCATION: 3744 Sturgeon Avenue

COUNCIL DISTRICT(S): District 4: Super District 8-Positions 1, 2, & 3

OWNER/APPLICANT: Dr. Walker-Barnes, Tonya

REQUEST: Special Use to allow a group day care home for five (5) to twelve (12) children

AREA: 0.15 Acre (6,534 sq. ft.)

EXISTING LAND USE & ZONING: Single family structure in Residential Single Family (R-6) District

CONCLUSIONS:

- 1. The structure is limited in sq. ft. and total occupancy or number of children is subject to child services. The home will be utilized to its full capacity to accommodate the requirements for day care facilities, including handicap accessibility.
- 2. The most important requirements for this request is a site plan illustrating the location of outdoor play areas and a handicap ramp, including a floor plan indicating the use of interior spaces for classrooms, indoor play, bathrooms and kitchen areas.
- 3. The subject property does not meet the civic use standard in Paragraph 2.6.2B (2) of the zoning code due to its location on a minor local street and more than 150 feet west of an arterial roadway, Getwell Road. The property is located approximately 495 feet east of a connector street, Robin Hood Lane.
- 4. A variance from this use standard of the zoning code may be necessary to locate the group day care home within the neighborhood. A project review by staff cannot be adequately completed without meeting application criteria and perhaps the granting of a variance for the location of a group day care home by the Board of Adjustment will be required before this application is considered by the Land Use Control Board.

CONSISTENCY WITH MEMPHIS 3.0

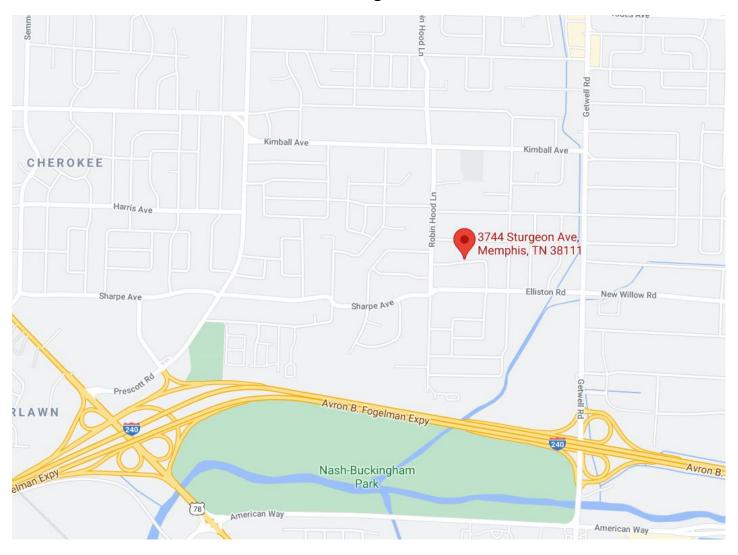
Based on the information provided, the proposal IS CONSISTENT with the Memphis 3.0 Comprehensive Plan.

DIVISION OF PLANNING & DEVELOPMENT RECOMMENDATION:

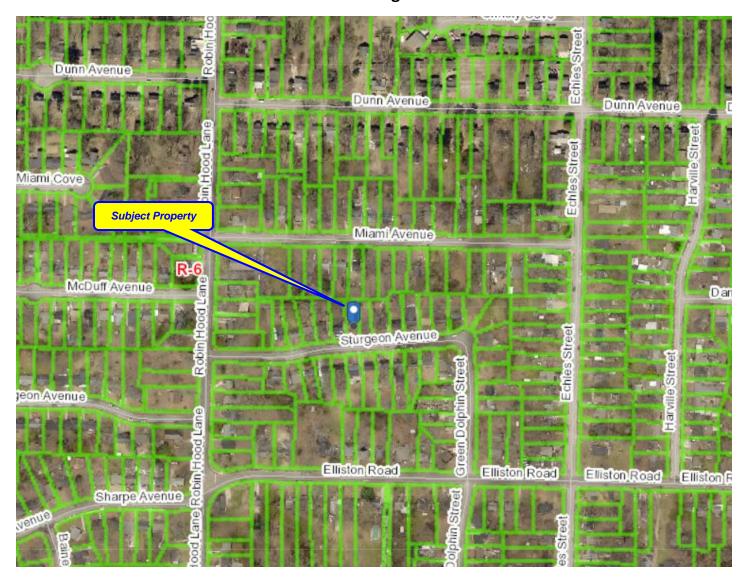
Hold One (1) Month

Staff Planner: Brian Bacchus Email: <u>brian.bacchus@memphistn.gov</u>

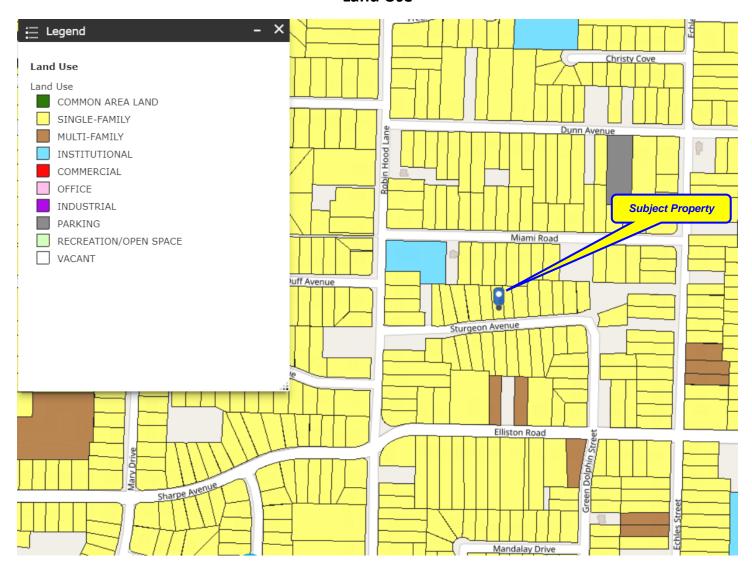
Planning Area



Zoning



Land Use



North: Single family homes in 'Miami' subdivision in Residential Single Family (R-

6) District.

East: Single family homes in 'Highland View' subdivision in Residential Single

Family (R-6) District.

South: Single family homes in 'Highland View' subdivision in Residential Single

Family (R-6) District.

West: Single family homes in 'Highland View' subdivision in Residential Single

Family (R-6) District.

Neighborhood Meeting: Neighborhood Zoom Meeting was held Sunday, July 4th, 2021, but staff did not receive

the Neighborhood Meeting Notice(s) for verification of mail-out by the staff.

Sign Posting & Public Notice: Public Notice sign posted on Monday, October 4th, 2021.

Public Hearing Notices mailed on Friday, October 1st, 2021.

NOTE: The public notices will be mailed to adjacent property owners within a radius of five (500) hundred feet of the property and any return notices to OPD are subject to Paragraph 9.3.4F (2) of the UDC regarding undelivered and returned mailed notices that exceed 25% of

the total required notices.

STAFF ANALYSIS:

Site Description

The subject property is a lot or record containing 6,500 sq. ft. or more in 'Highland View' subdivision at the north side of Sturgeon Avenue, a minor local street fifty (50) feet in width. The site is occupied by a one-story single-family home built in 1955 with 840 sq. ft. of ground floor area with large rear yard space in the southeast area of the 'Cherokee' community of the City of Memphis. The current zoning of the parcel is Residential Single Family (R-6) District zoning. The property has approximately 40 linear feet of street frontage and approximately 130 feet of depth. The property has improved frontage with no curb, gutter and sidewalk, including street lamp posts along both sides of the street. The property does not appear to be encumbered by any major easements or utility lines.

Request vs. Preliminary Review & Analysis

The applicant is requesting a special use permit for a group day care home to allow child care for five (5) to twelve (12) children in a home setting. The structure is limited in sq. ft. and total occupancy or number of children is subject to child services. The home will be utilized to its full capacity to accommodate the requirements for day care facilities, including handicap accessibility. However, any handicap ramp should be located at the private drive side of the home to minimize visibility from the public street. The most important requirements for this request is a site plan illustrating the location of outdoor play areas and a handicap ramp, including a floor plan indicating the use of interior spaces for classrooms, indoor play, bathrooms and kitchen areas. The applicant should take precautions to maintain the residential character of the home due to its location within the neighborhood.

The location of the structure should meet the Civic Use Standards of Paragraph 2.6.2B (2) of the zoning code which states:

Group Day Care Home of 5-12 persons

'The property shall be located on a connector street, on an arterial, or on a minor street that serves only nonresidential uses or zoning districts, or on a minor street within 150 feet (measured from the property line) of an intersecting arterial'.

The subject property does not meet the civic use standard above due to its location on minor local street more than 150 feet west of an arterial roadway, Getwell Road. The property is however, located approximately 495 feet east of a connector street, Robin Hood Lane. A variance from this use standard of the zoning code may be necessary to locate the group day care home within the neighborhood. Furthermore, a site plan, neighborhood meeting and a sign posting are also necessary to meet the application criteria for a more comprehensive site plan review of the special use permit application prior to consideration by the Land Use Control Board.

Although the proposal is consistent with the Memphis 3.0 Plan, the request and site plan should be compatible and in character with surrounding residential properties. The site plan should also address landscaping, both internal and external with emphasis on potential views from adjacent residential properties. Therefore, a more detailed project review by staff cannot be adequately completed without meeting the necessary criteria above and perhaps the granting of a variance for the location of a group day care home by the Board of Adjustment will be required before the application is considered by the Land Use Control Board.

RECOMMENDATION: Hold One (1) Month

Office of Comprehensive Planning(OCP) Review:

This summary is being produced in response to the following Planned Development Application to support the recommendation of the Office of Planning & Development: <u>S.U.P. 21-18 (Walker-Barnes Group Day Care Home)</u>

Site Location: 3744 Sturgeon Avenue

Land Use Designation: Anchor Neighborhood-Primarily Single Unit (See Memphis 3.0, Page 80 for details)

Based on the future land use planning map, the proposal <u>IS CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan.

The following information about the Land Use Designation can be found on Pages 76-122of Memphis 3.0

1. FUTURE LAND USE PLANNING



The red box indicates the application site on the Future Land Use Map.

2. Land use description & applicability:

The Primarily Single-Unit Anchor Neighborhoods are characterized by house scale buildings between one and three stories high. A mixture of detached and semi-detached homes fills this residential designation around the anchor location, mostly consisting of single family homes or duplexes. These neighborhoods are located within a 10-minute walk of the anchor, making residential more accessible for pedestrians to anchor amenities. See graphic portrayal to the right.



"AN-S" Goals/Objectives:

The preservation and stabilization of neighborhoods, focusing investment towards areas that support plan goals and objectives, locating housing near services, jobs, building up not out.

"AN-S" Form & Location Characteristics:

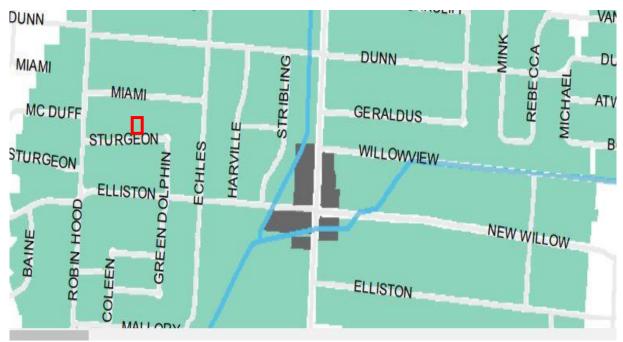
NUTURE: Primarily detached single-family residences. Attached single-family residences permitted on parcels within 100 feet of an anchor.

The applicant is seeking a variance to allow a residential home to become an in-home daycare facility. The request does meet the criteria in form of a single-family residence. However, the form of the building will not change and the use will not disrupt the character of the neighborhood. Additionally, the facility will introduce a broader mix of uses. Therefore, the use is consistent.

3. Existing, Adjacent Land Use and Zoning

The subject site is surrounded by the following land use: Residential. The subject site is surrounded by the following zoning district: RU-3, RU-1, and R-6. This requested land use is not compatible with these adjacent land uses and zoning districts because existing land use surrounding the parcels is similar in nature to the requested use.

4. Degree of Change



The red box indicates the application site. The degree of change is Nurture.

5. Degree of Change Description

Nurture areas rely primarily on public and philanthropic resources to stabilize the existing pattern of a place.

Actions for Nurture anchors and anchor neighborhoods are meant to:

- Stabilize the community
- Protect and support community assets
- Protect and stabilize existing affordable housing
- Promote activities that will stimulate market activity

Ways to Nurture:

- "Road diets" reduce the number of lanes to make room for wider sidewalks, bike lanes, and/or on-street parking
- Improve pedestrian realm (sidewalks, crosswalks, planting buffer and street trees, street lights, street furniture)
- Repurpose vacant land as temporary civic space
- Grants for small business frontage improvement

- Reduce number of curb cuts to improve pedestrian and cyclist safety (access management)
- Enhance connectivity to transit network
- Introduce or improve bike lanes and sidewalks
- Improve public access points (covered bus stops, benches)
- Improve public services (trash cleanup and collection)
- Control scale and frequency of signage
- Plan community programs on streets or vacant lots (markets, festivals)
- Upgrade infrastructure to improve flood control and internet access
- Improve existing parks and civic buildings and spaces
- Allow increased density and building height
- Allow a broader mix of uses

Based on the information provided, the proposal <u>IS CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Giahanna Bridges, Municipal Planner

Memphis 3.0, OCP

S.U.P. 21-18 STAFF REPORT

GENERAL INFORMATION:

Primary Street Frontage: Sturgeon Avenue-----+/-40 linear feet.

Neighborhoods: Cherokee/Sherwood Forest

Zoning History: The Residential Single Family (R-6) District zoning of the site date to the adoption of

the UDC in 2010 and date to the adoption of the 1980 zoning map amendments.

August 12th, 2021

DEPARTMENTAL COMMENTS:

The following comments were provided by Inter-Governmental Agencies/Organizations to which this application was referred:

City Engineer: No comment.

Cite Fire Services:

• All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.

• A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

Memphis & Shelby County Health Department:

Water Quality Branch: No comment. Septic Tank Program: No comment.

Memphis Light, Gas and Water:

MLGW has reviewed the referenced application, and has no objection, subject to the following conditions:

- It is the responsibility of the owner/applicant to identify any utility easements, whether dedicated or prescriptive (electric, gas, water, CATV, telephone, sewer, drainage, etc.), which may encumber the subject property, including underground and overhead facilities. No permanent structures will be allowed within any utility easements.
- It is the responsibility of the owner/applicant to contact TN-1-CALL @ 1.800.351.1111, before digging, and to determine the location of any underground utilities including electric, gas, water, CATV, telephone, etc.
- It is the responsibility of the owner/applicant to pay the cost of any work performed by MLGW to install, remove or relocate any facilities to accommodate the proposed development.
- It is the responsibility of the owner/applicant to comply with the National Electric Safety Code (NESC) and maintain minimum horizontal/vertical clearances between existing overhead electric facilities and any proposed structures.
- It is the responsibility of the owner/applicant to comply with Memphis/Shelby County Zoning Ordinance-Landscape and Screening Regulations.
- Street Trees are prohibited, subject to the review and approval of the landscape plan by MLGW Engineering. It is the responsibility of the owner/applicant to submit a detailed landscape plan to MLGW Engineering.
- Landscaping is prohibited within any MLGW utility easement without prior MLGW approval.
- **It is the responsibility of the owner/applicant** to pay the cost of any utility system improvements necessary to serve the proposed development with electric, gas or water utilities.

Construction Code Enforcement: No comments received.

Office of Resiliency & Sustainability: No comment.

AT&T-TN: No comment.

Emails of Support: None.

Letters & Emails of Opposition: None.

Neighborhood Associations/Organizations:

Cherokee Ngh'd Association: No comments received as of 8/6/21. Sherwood Forest Ngh'd Assoc: No comments received as of 8/6/21.

Staff: bb



Memphis and Shelby County Office of Planning and Development CITY HALL 125 NORTH MAIN STREET-SUITE 477 MEMPHIS, TENNESSEE 38103-2084 (901) 636-6619

APPLICATION FOR SPECIAL USE PERMIT APPROVAL/AMENDMENT

	W. W. 181	V OD DODY		
	PLEASE TYP	E OR PRINT		
Property Owner of Record: Dr. Tonya Walker-Barnes		Phone #: 9	Phone #: 901-651-0841	
Mailing Address: 3744 Sturgeon Ave		City/State: Memphis	Zip TN	
Property Owner E-Mail Address: to	dwalker08@yahoo.com			
Applicant: Dr. Tonya Walker-Barnes		Phone # 901-651-0841		
Mailing Address: 530 Old Hearthstone Cir N		City/State: Collierville TN	Zip 38017	
Applicant E- Mail Address: tdwalke				
Representative:				
Mailing Address:				
Representative E-Mail Address:				
Engineer/Surveyor:				
Mailing Address:				
Engineer/Surveyor E-Mail Address				
Street Address Location:				
Distance to nearest intersecting stre				
	Parcel 1	Parcel 2 Par	rcel 3	
Area in Acres:	0.146			
Existing Zoning:	R6 Resident			
Existing Use of Property Requested Use of Property	Hone Daycare	A A STATE OF THE S		
coquested ose of Property				
Amendment(s): Any revision to ar Minor Modifications shall be propose to and requests to exceed 24-month permits shall be processed as major	osed as an amendment. I limitation on disconting modifications, subject	Fime extensions (see Subsection 9 uance (see Subsection 9.6.14C) of	.6.14B of the UDC)	
Unincorporated Areas: For res	sidential projects in	unincorporated Shelby Count	y, please provide t	
ollowing information:				
following information: Number of Residential Uni	its:	Bedrooms:		

Variances: If the Office of Planning and Development (OPD) determines your submitted site plan requires Board of Adjustment (BOA) action on a particular standard of the Unified Development Code, this application will not be heard by the Land Use Control Board (LUCB) until an application is submitted to the BOA. Once a BOA application is received by OPD, OPD will proceed to send any public notices, including neighborhood meeting notification, for the next available LUCB meeting. Notices will not be sent out prior to a BOA application being received. All neighborhood notification and public notices shall meet the timing provided in Sections 9.3.2 and 9.3.4 of the UDC. In lieu of a BOA application being filed, this application for a Special Use Permit may be replaced with an application for a Planned Development within 14 days of the filing deadline for this application, unless the site is located within the Medical Overlay District (see Sec. 8.2.2D of the UDC). If neither a Board of Adjustment nor a Planned Development application is received within 90 days of the filing deadline for this application, then this application shall be considered defective and withdrawn from any future consideration by the Land Use Control Board.

I (we) hereby make application for the Special Use Permit described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.

Property Owner of Record Date Applicant Date

REQUIREMENTS PRIOR TO APPLICATION SUBMISSION

PRE-APPLICATION CONFERENCE - Not more than six (6) months nor less than five (5) working days prior to filing an application, the applicant shall arrange for a mandatory pre-application conference with OPD.

Pre-Application Conference held on: 6/25/2021 with Teresa Shelton

NEIGHBORHOOD MEETING – At least ten (10) days, but not more than 120 days, prior to a hearing before the Land Use Control Board, the applicant shall provide an opportunity to discuss the proposal with representatives from neighborhoods adjacent to the development site (Section 9.3.2). The following documentation shall be provided to OPD to verify compliance with this requirement: A copy of the letter sent to neighborhood associations and abutting property owners and a copy of the mailing list used to send notice.

Neighborhood Meeting Requirement Met:

Yes Not yet

(If yes, documentation must be included with application materials)

Their actually excited

SIGN POSTING - A sign or signs shall be erected on-site no more than 30 days as least of the Indian and their actually excited.

SIGN POSTING – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

Letter of Intent

Dr. Tonya D. Walker-Barnes 530 Old Hearthstone Circle-North Collierville, TN 38017 Phone #: (901) 651-0841

Re:

3744 Sturgeon Avenue Memphis, TN 38111

Request: Special Use Permit-Group Day Care Home Occupancy-5 to 12 children

Dear Mr. Whitehead,

I am writing this letter to address the land control board in hopes that you all will grant me the prayer of having an in-home daycare facility in this community. I did thorough research and spoke to a lot of community members. During my research, I found out of lot of factors as to why the area is so low in income.

Although there are a lot of schools neighboring these communities, there is no adequate child care for children under school age. I have a lot of experience being I was an elementary, middle and high school teacher. I hold a Master's degree in Counseling and Doctorate in education. My uncle Rickey is the Battalion Chief of Collierville TN.

I'm very versed on this topic and the safety and wellbeing for the children in the neighborhood as well as all children. This project it will not damage or destroy the value of nearby properties. The project will motivate, encourage and allow others in the neighborhood to follow suit as far as keeping up their property and maybe even getting jobs or better paying jobs if they felt comfortable knowing their children are in safe and adequate child care. I've already made so many improvements to the property and made sure it meets all the TN Child care rules and regulations and safeguards. I have always dreamed of doing this, I feel that now is a great opportunity, so I ask the board to please approve my request.

Sincerely,

Dr. Walker-Barnes



Shelby County Tennessee

Shelandra Y Ford

Shelby County Register

As evidenced by the instrument number shown below, this document has been recorded as a permanent record in the archives of the Office of the Shelby County Register.



21043120

04/14/2021 - 10:54:55 AM

LAKECIA 2205637 - 21043128 VALUE	
	50000.00
MORTGAGE TAX	0.00
TRANSFER TAX	185.00
RECORDING FEE	10.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	198.00

SHELANDRA Y FORD REGISTER OF DEEDS SHELBY COUNTY TENNESSEE

CORPORATE FORM WARRANTY DEED

Property address: 3744 Sturgeon Road Memphis, TN 38111 Owner's name and address: JRC LLC 3144 STUROUN RO		I, or we, hereby swear and affirm that, to the best of the affiant's knowledge, information, and belief, the actual consideration for this transfer is \$50,000.00.
3144 Sturgeon Rd. Mumphil, TN 38111 Mail tax bills to: IRC LLC 3686 NOTTINGNAM MUMPHIL, TN 38111	ed.	Subscribed and sworn to before me this day of March, 2021. Notary Public Notary Public
	This instrume	My Commission Expires: TENNESSEE It prepared by: RUBLIC STATE OF PUBLIC STATE OF PUBLI
Sure Title Com 7455 McVay Sta		ompany, LLC Station Ct 101
Germantown, TN 38138 File No.: 21031701		

THIS INDENTURE, made and entered into this 25th day of March, 2021, by and between

Dati Enterprise LLC, a Tennessee Limited Liability Company, Series R, party of the first part and

JRC LLC, ______, party of the second part,

WITNESSETH: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged, the said party of the first part has bargained and sold and does hereby bargain, sell, convey and confirm unto the said party of the second part the following described real estate, situated and being in the City of Memphis, County of Shelby, State of Tennessee.

Lot 14, First Addition, Highland View Subdivision, as shown on plat of record in Plat Book 17, Page 28, in the Register's Office of Shelby County, Tennessee, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to the Grantor(s) herein by Deed of record at Instrument Number 19017148 in the Register's Office of Shelby County Tennessee.

Parcel Number: 058087 00049

TO HAVE AND TO HOLD the aforesaid real estate together with all appurtenances and hereditaments thereunto belonging or in any wise appertaining unto the said party of the second part, its heirs, successors and assigns in fee simple forever.

The said party of the first part does hereby covenant with the said party of the second part that it is/are lawfully seized in fee of the aforedescribed real estate; that it has good right to sell and convey the same; that the same is unencumbered, EXCEPT for:

Subdivision and/or Condominium restrictions including but not limited to any declaration covenants conditions restrictions, master deed or recorded plat, building lines and easements of record as of the date of the purchase and sale agreement, zoning, and any subsequent years' taxes not yet due and payable,

and that the title and quiet possession thereto it will warrant and forever defend against the lawful claims of all persons.

The word "party" as used herein shall mean "parties" if more than one person or entity be referred to, and pronouns shall be construed according to their proper gender and number according to the context hereof.

IN WITNESS WHEREOF, party of the first part has caused this instrument to be executed by and through its duly authorized officer(s) the day and year first above written.

Dati Enterprise LLC

By: David Truong, Member

STATE OFTENNESSEE, COUNTY OFSHELBY

Before me, the undersigned, Notary Public in and for said State and County, duly commissioned and qualified, personally appeared **David Truong** with whom I am personally acquainted, (or proven to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself/herself to be the **Member** (or other officer authorized to execute the instrument) of **Dati Enterprise LLC**, the within named bargainor, and that he/she as such **Member**, executed the foregoing instrument for the purposes therein contained by signing the name of **Dati Enterprise LLC** by himself/herself as **Member**.

WITNESS my hand and Notarial Seal this 25th day of March, 2021.

RENZO PO

TENNESSEE

My commission expires:

This instrument prepared by: Sure Title Company, LLC 7455 MeVay Station Ct 101 Germantown, TN 38138

File No.: 21031701

Saddle Creek Title, LLC 756 Ridge Lake Blvd., Ste. 120

Roturn to

Memphis, TN 38120

(FOR RECORDING DATA ONLY)

Dr. Tonya Walker-Barnes 3374 Sturgeon Ave. Memphis, TN 38017



Greeting.

This letter serves as a notice that I will be having a meeting on ____7/4/2021 @ PM to inform you of my entire request with the city of Memphis to have an in-home daycare at this address. You are more than welcome to attend this meeting via TEAMS with any concerns or objections. Some of you have spoken with me in person and that is fine as well those were noted and they were fine with the request.

https://teams.microsoft.com/l/channel/19:6iDhU9j9h_bjWjE9nwuat6So5fHPNtxs9hpNmAJB4E1@thread.tacv2/General?groupId=4d8de848-8271-4b5b-b828badc4fb078d6&tenantId=2b291c94-5eb0-44b7-89ea-4baf16ecc4a9

Sincerely,

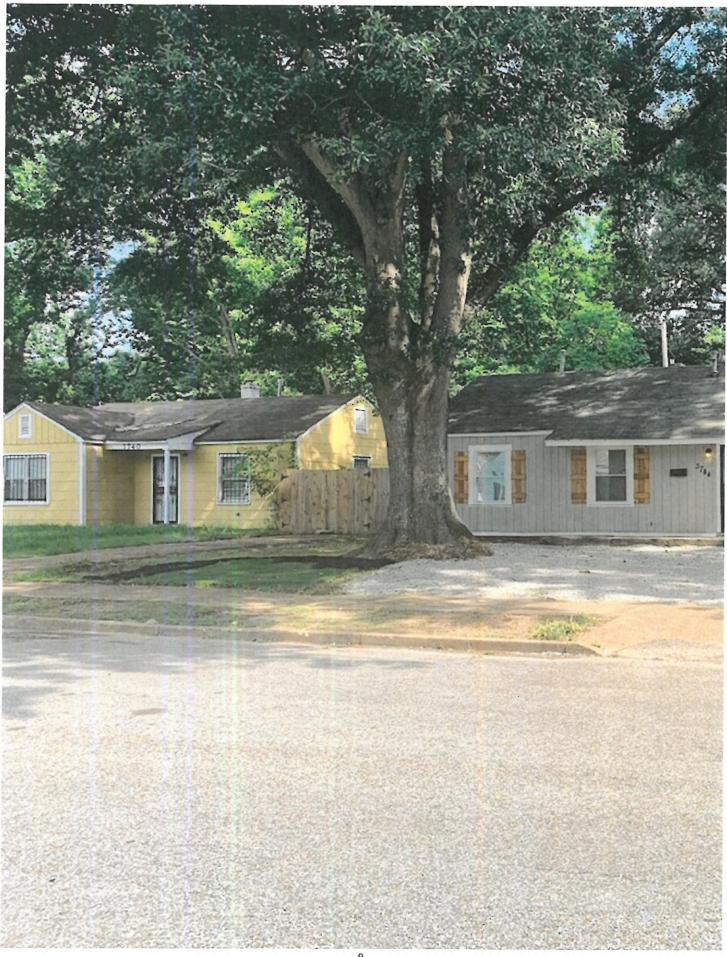
Dr. Tonya Walker-Barnes

Summary of Neighborhood Meeting

Dr. Tonya D. Walker-Barnes 3374 Sturgeon Ave Memphis, TN 38111

The meeting went very well. I had several parents to say that they do not work because there was no childcare located within a 2-mile radius. They really loved the idea of the in-home care for their children and they fact that I will not enroll any more than 12 kids. This community is very loving they helped me take down a wire fence so I could replace it with a wooden fence and even helped me prepare a play area that was safe for the children in the backyard. I love that this community felt involved in the decision-making and process of making this dream come true. I had no concerns or objections.

Sincerely Dr. Tonya Walker-Barnes











Melvin Burgess Assessor Of Property Shelby County Government

Property Location and Owner Information

Parcel ID 058087 00049

Property Address 3744 STURGEON AVE

Municipal Jurisdiction MEMPHIS

Neighborhood Number 00716D03

Tax Map Page 166E

Land Square Footage 6360

Acres 0.146

Lot Dimensions

Subdivision Name HIGHLAND VIEW 1ST ADDN

Subdivision Lot Number 0 14

Plat Book and Page

Number of Improvements 1

Owner Name WALKER-BARNES TONYA D

In Care Of Owner Address 530 OLD HEARTHSTONE

Owner City/State/Zip COLLIERVILLE TN 38017

Appraisal and Assessment Information

Class RESIDENTIAL

Land Appraisal \$4,800

Building Appraisal \$23,600

Total Appraisal \$28,400

Total Assessment \$7,100

Greenbelt Land Appraisal \$0

Homesite Land Appraisal \$0

Homesite Building Appraisal \$0

Greenbelt Appraisal \$0

Greenbelt Assessment \$0

Improvement/Commercial Details

Stories 1

Exterior Walls ASBESTOS SHINGLE

Land Use - SINGLE FAMILY

Year Built 1955

Total Rooms 6

Bedrooms 3

Bathrooms 1

Half Baths 0

Heat FORCED AIR

Fuel NOT APPLICABLE

Heating System NOT APPLICABLE

Fireplace Masonry 0

Fireplace Pre-Fab 0

Ground Floor Area 840

Total Living Area 840

Car Parking

Other Buildings

Card Year Length Width Area Type Built

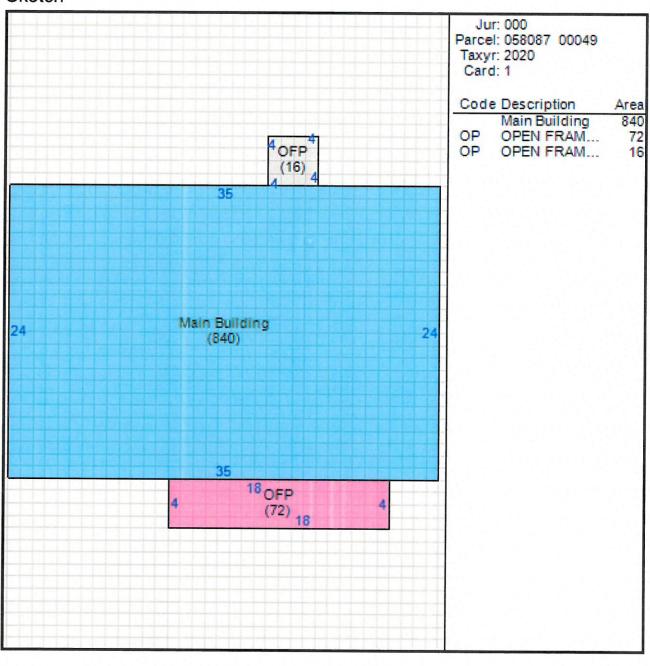
Permits

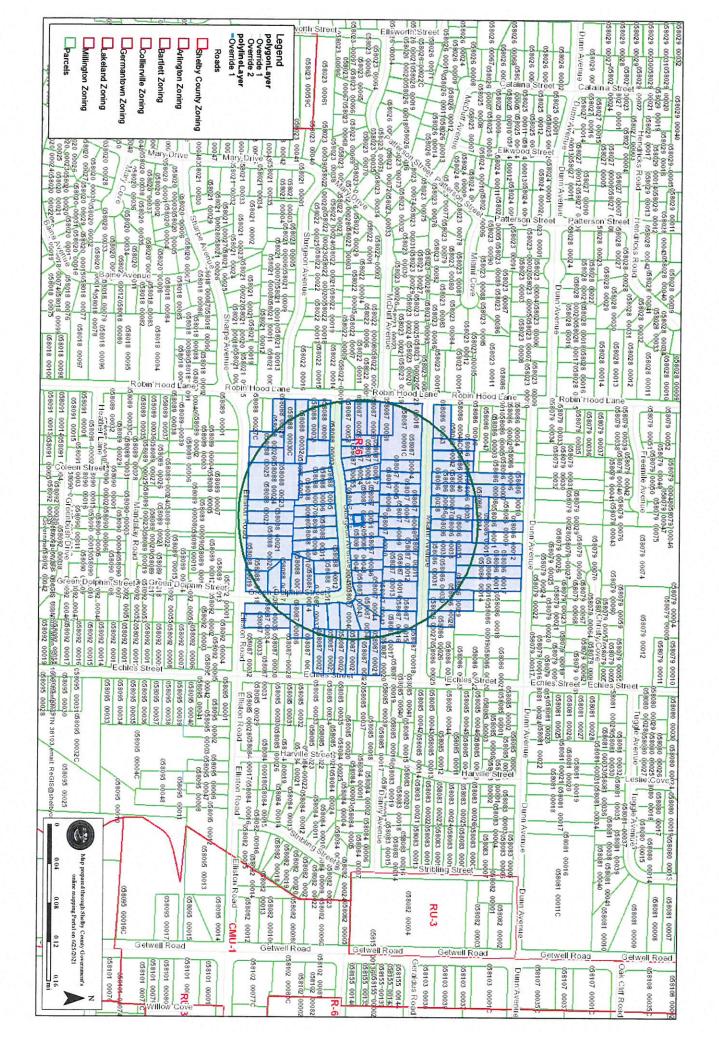
Date of Permit Amount of Permit		Permit Number	Reason	
09/29/2000	\$2,000	B0859219		

Sales

Date of Sale	Sales Price	Deed Number	Instrument Type
06/18/2021	\$85,000	21081154	WD
03/25/2021	\$0	21081153	CD
03/25/2021	\$50,000	21043128	WD
01/17/2019	\$0	19017148	QC
11/30/2011	\$6,000	11120682	SW
08/30/2011	\$9,186	11095836	TD
07/02/1998	\$47,900	HP0857	WD
05/07/1998	\$23,500	HN5322	SW
04/02/1998	\$0	HH0829	SW
12/22/1997	\$28,000	HB2909	TD
12/07/1994	\$0	146671-8	CC
05/17/1991	\$0	CF3373	QC

Sketch





BARRON BILLY J & ELEASE 3741 DUNN RD # MEMPHIS TN 38111

SMITH LINDA K 3724 STURGEON AVE # MEMPHIS TN 38111 ROBINSON TERRY & MELISSA A 3730 ELLISTON RD # MEMPHIS TN 38111

MACLIN DAMON III 3934 WISTERIA DR # MEMPHIS TN 38116 LITTLE GLENN
3960 WINCHESTER RD #
MEMPHIS TN 38118

SMITH PAUL A JR 1615 GREEN DOLPHIN ST # MEMPHIS TN 38111

WALLS RUBYSTEIN 3786 MIAMI AVE # MEMPHIS TN 38111

DUETT DOROTHY M (ESTATE OF)

3776 STURGEON AVE #

610 OGRAI

MEMPHIS TN 38111

CHATTANOO

BTHE1 LLC 610 OGRADY DR # CHATTANOOGA TN 37419

DOWLING THOMAS 6818 BAUDETTE LN # BARTLETT TN 38135

HOUSTON DON 3750 STURGEON AVE # MEMPHIS TN 38111 LONGORIA MARCIANO 4090 ELLISTON RD # MEMPHIS TN 38111

BROWN TIFFANY 8617 STABLEMILL LN # CORDOVA TN 38016 JUMP LLC 2471 LENNOX DR # GERMANTOWN TN 38138

DACUS CAROLYN A & DONNIE 1983 WIRILY LN # CORDOVA TN 38016

GUYSE TERESA F 3771 MIAMI AVE # MEMPHIS TN 38111 MOSBY CHRISTOPHER 10484 PISGAH FOREST LN # CORDOVA TN 38016

T AND S REAL ESTATE LLC 2707 SWEET OAKS CIR # GERMANTOWN TN 38138

WOLF RIVER PROPERTIES LLC 2471 LENNOX DR # GERMANTOWN TN 38138

WHITSETT DANA 716 SHOTWELL # MEMPHIS TN 38111 CRAWFORD LISA R 5781 FOXDALE RD # MEMPHIS TN 38115

MUKASH PAREL CORP AND ALFRED BENCHMARK 9109 WOOD IBIS CT # SPOTSYLVANIA VA 22553

ODUM MARSHALL 7205 AUSTIN RD # LAKE CORMORANT MS 38641 TAYLOR DOROTHY AND ROSALYN BROWN AND 3779 DUNN RD # MEMPHIS TN 38111

HENG SOPHEAP AND SAROEUN HENG 3801 MIAMI AVE # MEMPHIS TN 38111

GOLDSTAR HOMES LLC 3840 WINCHESTER RD # MEMPHIS TN 38118

SHELBY COUNTY TAX SALE 97.1 EXH #6463 PO BOX 2751 # MEMPHIS TN 38101

HASLAM SAMUEL K & TRACEY M 49 JUNIPER RD # ANDOVER MA 1810 ROMEROLARA JUAN J 1612 GREEN DOLPHIN ST # MEMPHIS TN 38111 STEWARD WILLIE O & LIZZIE M 3714 MIAMI AVE # MEMPHIS TN 38111

MFR 5 LLC MFR 5 LLC 332 OCEAN VIEW AVE # HERMOSA BEACH CA 90254 LINDLEY LANCE BOWEN RONNIE PSC 473 BOX 12 # 1576 ROBIN HOOD LN # FPO AP 96349 MEMPHIS TN 38111 TRIBBLE HOMES LLC SEAT BOBBY G INTERNATIONAL BUDDHIST TEMPLE OF MEMPHIS 3724 MIAMI AVE # 3794 MIAMI AVE # 1580 ROBIN HOOD LN # MEMPHIS TN 38111 MEMPHIS TN 38111 MEMPHIS TN 38111 FOSTER GLORIA GIRLS CLUB OF MEMPHIS INC 5121 LEONARD # SHELBY COUNTY TAX SALE 85.2 EXH #6576 686 N 7TH ST # 160 N MAIN ST # MEMPHIS TN 38109 MEMPHIS TN 38107 MEMPHIS TN 38103 RODRIGUEZ ANTONIO 2926 CLEARBROOK RD # CHICKASAW VENTURES LLC HARMON GWENDOLYN W AND JAMES D PO BOX 770014 # 3714 STURGEON AVE # MEMPHIS TN 38118 MEMPHIS TN 38177 MEMPHIS TN 38111 HOLLADAY MURRAY R MOTEN JASPER WHEELER MALCOLM 3756 MIAMI AVE # MEMPHIS TN 38111 1708 LOGAN DR # 1148 S PERKINS # COLUMBIA TN 38401 MEMPHIS TN 38117 EYE WALKER JACKSON MILWAUKEE JR AND REGINALD BANYON 8313 CLUBVIEW DR # JAYBAY LLC 3739 MIAMI AVE # 3707 MACON RD # OLIVE BRANCH MS 38654 MEMPHIS TN 38111 MEMPHIS TN 38122 LONGORIA MARCIANO MFR 5 LLC RIMMER THELMA J 332 OCEAN VIEW AVE # 4090 ELLISTON RD # 3764 STURGEON AVE # MEMPHIS TN 38111 HERMOSA BEACH CA 90254 MEMPHIS TN 38111 DANIEL RODNEY L POPE INVESTMENTS LLC MOORE REVOCABLE LIVING TRUST 3764 MIAMI AVE # 3930 FUN VALLEY DR # 8917 CLARI DOUWIE CV # MEMPHIS TN 38111 MEMPHIS TN 38125 BARTLETT TN 38133 FERGUSON MARY A TRIBBLE HOMES LLC HARMON GWENDOLYN W AND JAMES D 1550 ROBIN HOOD LN # 4728 SPOTTSWOOD ## 302 3714 STURGEON AVE # MEMPHIS TN 38111 MEMPHIS TN 38117 MEMPHIS TN 38111

MORALES HUMBERTILO 3770 MIAMI # MEMPHIS TN 38111

CTGI PROPERTIES LLC 6649 VINING CREEK CV W # MEMPHIS TN 38119

PULLIAM B W
PO BOX 17588 #
MEMPHIS TN 38187

AIDAROUS MERWAN 10235 HERONS PT # LAKELAND TN 38002

SAFFOLD BEATRICE 3763 STURGEON AVE # MEMPHIS TN 38111

TO DANNY D 1601 ECHLES ST # MEMPHIS TN 38111

BANYON ANDREW J 382 FERNWOOD AVE # MEMPHIS TN 38106 CRAWFORD LYNETTE 3761 STURGEON ** 3761 STURGEON AVE # MEMPHIS TN 38111

CATHEY ANNETTA S & EDDIE L 3715 STURGEON AVE # MEMPHIS TN 38111

DATI ENTERPRISE LLC SERIES R 7495 HOLLYVIEW DR # MEMPHIS TN 38125

DAVILA-GOMEZ DOUGLAS 3755 STURGEON AVE # MEMPHIS TN 38111

PARKER JOHNNY L 3088 LOTUS RD # MEMPHIS TN 38109

HULL LEAH 305 S COOPER RD # BYHALIA MS 38611

DEBCO LLC 3707 MACON RD # MEMPHIS TN 38122

BROWN WILLIE (LE) AND DONNA BROWN AND 1611 GREEN DOLPHIN ST # MEMPHIS TN 38111

THANH HO MINH 1583 ECHLES ST # MEMPHIS TN 38111

WRIGHT MAURICE JR 3741 STURGEON AVE # MEMPHIS TN 38111

MUNN ERNESTINE 1616 ROBIN HOOD LN # MEMPHIS TN 38111

BLACK JOSEPH D AND KERRY R BLACK 1586 ROBIN HOOD LN # MEMPHIS TN 38111

LITTLE GLENN JR 3960 WINCHESTER RD # MEMPHIS TN 38118

CRUZ KEEVIN 7021 PETTEN CV # MEMPHIS TN 38133

THANH HO MINH 1583 ECHLES ST # MEMPHIS TN 38111

LARA RUBEN A 3729 STURGEON AVE # MEMPHIS TN 38111

BIGGS LEONARD L 3740 ELLISTON RD # MEMPHIS TN 38111

IZQUIERDO DE LA ROSA BRAULIO AND WISTOCK ELLEN 1548 ECHLES ST # MEMPHIS TN 38111

2705 MORNING SUN # CORDOVA TN 38016

BIGGS LEONARD L 3754 ELLISTON RD # MEMPHIS TN 38111

DENTON JARED & MARINA 529 E ALOHA LN # SANDY UT 84070

FUQUA-SIMPSON CHERRY R 521 RAINER RD # WEST MEMPHIS AR 72301

CASTANON MARTIN 1621 GREEN DOLPHIN ST # MEMPHIS TN 38111

CARPENTER LAWRENCE 3801 DUNN RD # MEMPHIS TN 38111

LITTLE GLEN 3960 WINCHESTER RD # MEMPHIS TN 38118

MORGAN ETHEL M (ESTATE OF) 1620 ROBIN HOOD LN # MEMPHIS TN 38111

For Current Resident ELLISTON RD # Memphis, TN 38111

For Current Resident 3710 ELLISTON RD # Memphis, TN 38111

For Current Resident 3796 ELLISTON RD # Memphis, TN 38111

For Current Resident 3716 ELLISTON RD # Memphis, TN 38111

For Current Resident 3770 ELLISTON RD # Memphis, TN 38111

For Current Resident 1625 GREEN DOLPHIN ST # Memphis, TN 38111

For Current Resident 3780 ELLISTON RD # Memphis, TN 38111

For Current Resident 3750 MIAMI AVE # Memphis, TN 38111

For Current Resident 3782 MIAMI AVE # Memphis, TN 38111

For Current Resident 3765 MIAMI AVE # Memphis, TN 38111 For Current Resident 3771 STURGEON AVE # Memphis, TN 38111

For Current Resident 1612 ROBIN HOOD LN # Memphis, TN 38111

For Current Resident 3748 ELLISTON RD # Memphis, TN 38111

Melvin Burgess Assessor Of Property Shelby County Government

Property Location and Owner Information

Parcel ID 058087 00049

Property Address 3744 STURGEON AVE

Municipal Jurisdiction MEMPHIS

Neighborhood Number 00716D03

Tax Map Page 166E

Land Square Footage 6360

Acres 0.146

Lot Dimensions

Subdivision Name HIGHLAND VIEW 1ST ADDN

Subdivision Lot Number 0 14

Plat Book and Page

Number of Improvements 1

Owner Name WALKER-BARNES TONYA D

In Care Of Owner Address 530 OLD HEARTHSTONE

Owner City/State/Zip COLLIERVILLE TN 38017

Appraisal and Assessment Information

Class	RESIDENTIAL
Land Appraisal	\$4,800
Building Appraisal	\$23,600
Total Appraisal	\$28,400
Total Assessment	\$7,100
Greenbelt Land Appraisal	\$0
Homesite Land Appraisal	\$0
Homesite Building Appraisal	\$0
Greenbelt Appraisal	\$0
Greenbelt Assessment	\$0

Improvement/Commercial Details

Stories 1

Exterior Walls ASBESTOS SHINGLE

Land Use - SINGLE FAMILY

Year Built 1955

Total Rooms 6

Bedrooms 3

Bathrooms 1

Half Baths 0

Heat FORCED AIR

Fuel NOT APPLICABLE

Heating System NOT APPLICABLE

Fireplace Masonry 0

Fireplace Pre-Fab 0

Ground Floor Area 840

Total Living Area 840

Car Parking

Other Buildings

Card Year Length Width Area Type Built

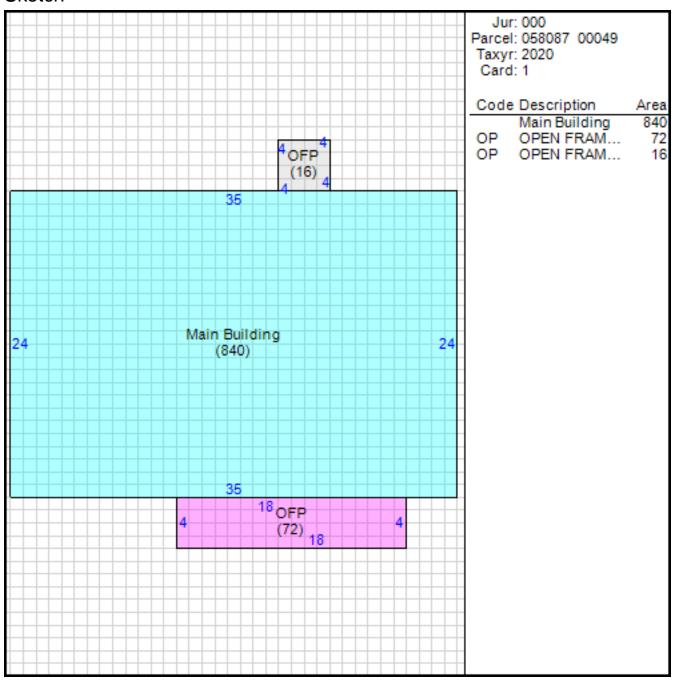
Permits

Date of Permit Amount of		Permit	Reason	
	Permit	Number		
09/29/2000	\$2,000	B0859219		

Sales

Date of Sale	Sales Price	Deed Number	Instrument Type
06/18/2021	\$85,000	21081154	WD
03/25/2021	\$0	21081153	CD
03/25/2021	\$50,000	21043128	WD
01/17/2019	\$0	19017148	QC
11/30/2011	\$6,000	11120682	SW
08/30/2011	\$9,186	11095836	TD
07/02/1998	\$47,900	HP0857	WD
05/07/1998	\$23,500	HN5322	SW
04/02/1998	\$0	HH0829	SW
12/22/1997	\$28,000	HB2909	TD
12/07/1994	\$0	146671-8	CC
05/17/1991	\$0	CF3373	QC

Sketch



CITY OF MEMPHIS COUNCIL AGENDA CHECK OFF SHEET

ONE ORIGINAL ONLY STAPLED TO DOCUMENTS	Planning & Z		OMMITTEE: SESSION:	12/07/2021 DATE 12/07/2021 DATE	Planning & Development DIVISION
ITEM (CHECK ONE) ORDINANCE X RESOLUTION OTHER:	CONDEMNAT	CATION	REQUE	T ACCEPTANC EST FOR PUBL	
ITEM DESCRIPTION:	A resolution approv				retail, and residential townhouses.
CASE NUMBER:	SUP 2021-21				
DEVELOPMENT:	Union Station Deve	lopment			
LOCATION:	1925 Union Avenue				
COUNCIL DISTRICTS:	District 5 and Super District 9 – Positions 1, 2, and 3				
OWNER/APPLICANT:	Union Station, LLC.				
REPRESENTATIVE:	Tim Michael – Design Shop Architects				
EXISTING ZONING:	$Commercial\ Mixed\ Use-1\ with\ Historic\ Overlay\ (CMU-1[H])\ with\ Midtown\ Overlay$				
REQUEST:	To allow a mixed-use development				
AREA:	+/-3.66 acres				
RECOMMENDATION:	The Division of Plan The Land Use Contr				roval with conditions ditions
RECOMMENDED COUNC	CIL ACTION: Publ	ic Hearing	Not Required		
PRIOR ACTION ON ITEM: (1) 10/14/2021 (1) Land Use Control Board		DATE ORGANI	ZATION - (1)	OVED (2) DEN BOARD / COM COUNCIL CO	MISSION
FUNDING: (2) \$ \$ SOURCE AND AMOUNT OF FUNDS		REQUIRES CITY EXPENDITURE - (1) YES (2) NO AMOUNT OF EXPENDITURE REVENUE TO BE RECEIVED			
\$ \$			ING BUDGET IECT #		
\$		CIP PROJECT # FEDERAL/STATE/OTHER			
ADMINISTRATIVE APPRO		=======	<u>DATE</u>	<u>POSITION</u>	
Lucas Skinner			11/29/2021_	MUNICIPAL	PLANNER
				DEPUTY AD	MINISTRATOR
				ADMINISTR.	ATOR
				DIRECTOR (JOINT APPROVAL)
				COMPTROLI	,
				CYMY A MINOR	
				CITY ATTOR	INEY ====================================
				CHIEF ADM	INISTRATIVE OFFICER
,				COMMITTE	E CHAIRMAN

RESOLUTION APPROVING A SPECIAL USE PERMIT AT THE SUBJECT PROPERTY LOCATED AT 1925 UNION AVENUE, KNOWN AS CASE NUMBER SUP 2021-21.

WHEREAS, Chapter 9.6 of the Memphis and Shelby County Unified Development Code, being a section of the Joint Ordinance Resolution No. 5367, dated August 10, 2010, authorizes the Council of the City of Memphis to grant a special use permit for certain stated purposes in the various zoning districts; and

WHEREAS, the Union Station, LLC filed an application with the Memphis and Shelby County Office of Planning and Development to allow a mixed-use development including a hotel, retail, and townhouses; and

WHEREAS, the Division of Planning and Development has received and reviewed the application in accordance with procedures, objectives, and standards for special use permits as set forth in Chapter 9.6 with regard to the proposed development's impacts upon surrounding properties, availability of public facilities, both external and internal circulation, land use compatibility, and that the design and amenities are consistent with the public interest; and has submitted its findings and recommendation concerning the above considerations to the Land Use Control Board; and

WHEREAS, a public hearing in relation thereto was held before the Memphis and Shelby County Land Use Control Board on October 14, 2021, and said Board has submitted its findings and recommendation concerning the above considerations to the Council of the City of Memphis; and

WHEREAS, the Council of the City of Memphis has reviewed the aforementioned application pursuant to Tennessee Code Annotated Section 13-4-202(B)(2)(B)(iii) and has determined that said development is consistent with the Memphis 3.0 General Plan; and

WHEREAS, the Council of the City of Memphis has reviewed the recommendation of the Land Use Control Board and the report and recommendation of the Division of Planning and Development and has determined that said development meets the objectives, standards and criteria for a special use permit, and said development is consistent with the public interests.

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF MEMPHIS, that, pursuant to Chapter 9.6 of the Memphis and Shelby County Unified Development Code, a special use permit is hereby granted for the request use in accordance with the attached conditions.

BE IT FURTHER RESOLVED, that this permit merely authorizes the filing of applications to acquire a Certificate of Use and Occupancy, or a Building Permit, and other required permits and approvals, provided that no such Certificate of Use and Occupancy shall be granted until all conditions imposed by the Council of the City of Memphis have been met.

BE IT FURTHER RESOLVED, that this Resolution take effect from and after the date it shall have been passed by this Council of the City of Memphis, and become effective as otherwise provided by law, and thereafter shall be treated as in full force and effect by virtue of passage thereof by the Council of the City of Memphis, the public welfare requiring same.

ATTEST:

Division of Planning and Development

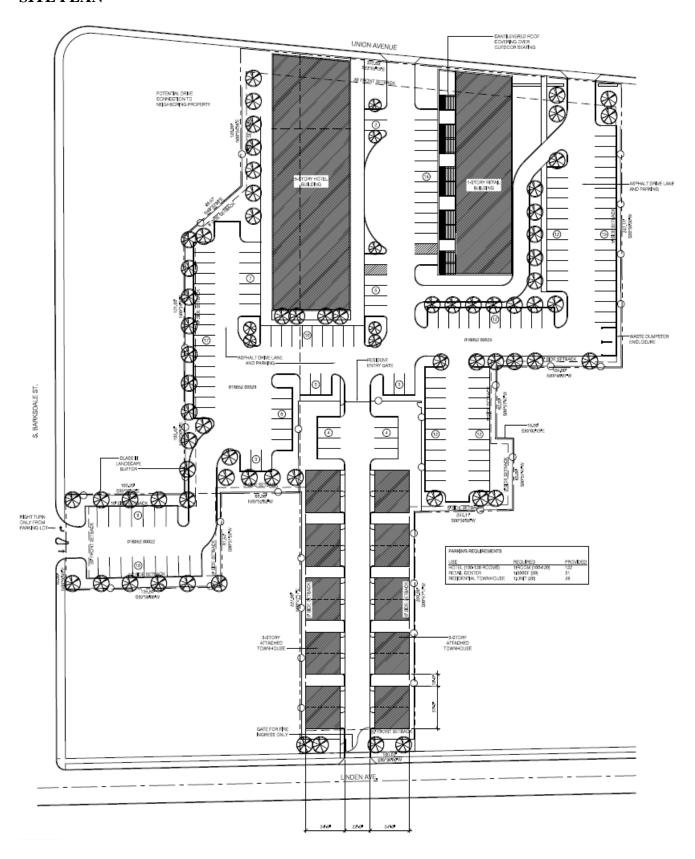
- Land Use and Development Services

- Office of Construction Enforcement

CONDITIONS

- 1. A landscape plan that meets all provisions of the UDC shall be submitted for administrative review and approval by the Office of Planning and Development.
- 2. Light fixtures installed on the site shall meet the requirements and standards of the Unified Development Code.
- 3. Lighting for parking shall be arranged/positioned to prevent direct glare onto any residential property.
- 4. No drive-thru restaurant uses shall be permitted on this site.
- 5. The applicant may need to submit a Trip Generation Report. This proposal shall be subject to the City Engineering Memorandum of Conformance process.
- 6. The City Engineer shall approve the design, number and location of curb cuts.
- 7. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
- 8. The applicant shall submit a revised final site plan to the Office of Planning Development for administrative review.

SITE PLAN





Memphis City Council Summary Sheet

SUP 2021-21

Resolution requesting a mixed-use development:

- This item is a resolution with conditions for a special use permit to allow the above; and
- The Division of Planning & Development at the request of the Owner(s)/Applicant(s): Union Station, LLC. and Representative(s): Tim Michael – Design Shop Architects; and
- Approval of this special use permit will be reflected on the Memphis and Shelby County Zoning Atlas; and
- The item may require future public improvement contracts.

LAND USE CONTROL BOARD RECOMMENDATION

At its regular meeting on *Thursday, October 14, 2021*, the Memphis and Shelby County Land Use Control Board held a public hearing on the following application:

CASE NUMBER: SUP 2021-21

LOCATION: 1925 Union Avenue

COUNCIL DISTRICT(S): District 5 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Union Station, LLC.

REPRESENTATIVE: Tim Michael – Design Shop Architects

REQUEST: To allow a mixed-use development

EXISTING ZONING: Commercial Mixed Use -3 (CMU-3) and Commercial Mixed Use -1

with Historic Overlay (CMU-1[H]) with Midtown Overlay

AREA: +/-3.66 acres

The following spoke in support of the application: Cameron Taylor and Gordon Alexander

The following spoke in opposition the application: None

The Land Use Control Board reviewed the application and the staff report. A motion was made and seconded to recommend approval with conditions.

The motion passed by a vote of 7-0 on the regular agenda.

Respectfully,

Lucas Skinner Municipal Planner

Land Use and Development Services
Division of Planning and Development

Cc: Committee Members

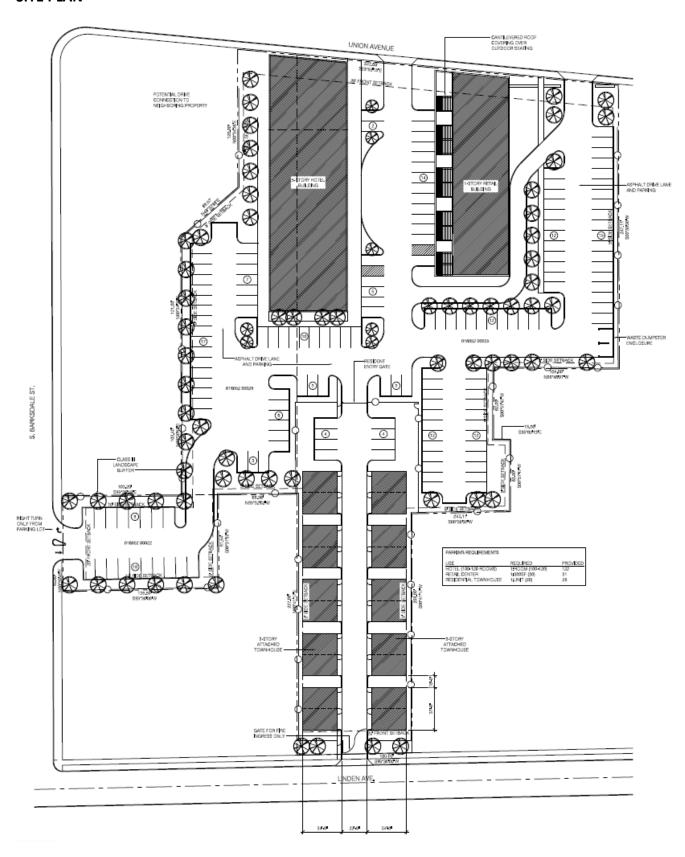
Lucus Shin

File

SUP 2021-21 CONDITIONS

- 1. A landscape plan that meets all provisions of the UDC shall be submitted for administrative review and approval by the Office of Planning and Development.
- 2. Light fixtures installed on the site shall meet the requirements and standards of the Unified Development Code.
- 3. Lighting for parking shall be arranged/positioned to prevent direct glare onto any residential property.
- 4. No drive-thru restaurant uses shall be permitted on this site.
- 5. The applicant may need to submit a Trip Generation Report. This proposal shall be subject to the City Engineering Memorandum of Conformance process.
- 6. The City Engineer shall approve the design, number and location of curb cuts.
- 7. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.
- 8. The applicant shall submit a revised final site plan to the Office of Planning Development for administrative review.

SITE PLAN



dpd STAFF REPORT

AGENDA ITEM: 3

CASE NUMBER: SUP 2021-21 L.U.C.B. MEETING: October 14, 2021

LOCATION: 1925 Union Avenue

COUNCIL DISTRICT: District 5 and Super District 9 – Positions 1, 2, and 3

OWNER/APPLICANT: Union Station, LLC

REPRESENTATIVE: Tim Michael – Design Shop Architects

REQUEST: Mixed-use development

AREA: +/-3.66 acres

EXISTING ZONING: Commercial Mixed Use – 3 (CMU-3) and Commercial Mixed Use – 1 with Historic

Overlay (CMU-1[H]) with Midtown Overlay

CONCLUSIONS

- 1. The applicant is seeking to put a mixed-use development including townhouses, retail, and a hotel located at 1925 Union Avenue, the former location of a police station and Hutchison School before that.
- 2. The retail component (though no specific tenants have been identified) as well as the townhouses are by-right uses, so this Special Use Permit application focuses primarily on the hotel component along Union. The hotel is set to have anywhere from 100 to 120 rooms.
- 3. The uses have a range in height as the retail will be one-story, the townhouses will be three stories, and the hotel will be five stories. These heights all meet the Midtown Overlay.
- 4. The townhouse portion of the site, zoned CMU-1(H), will go before the Memphis Landmarks Commission after approval for the Special Use Permit is received.
- 5. Staff feels with the adoption of urban frontages along Union in coming time, that the retail and hotel buildings could front more on Union Avenue, as with the nearby Kroger, Renasant Bank, etc. However, the overall site plan meets the regulations of the UDC with adequate parking, height, setbacks, landscaping, among other aspects.
- 6. This project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

RECOMMENDATION Approval with conditions

Staff Writer: Lucas Skinner E-mail: lucas.skinner@memphistn.gov

Staff Report SUP 2021-21 October 14, 2021

Page 2

GENERAL INFORMATION

Street Frontage: Union Avenue +/-334.9 linear feet

S Barksdale Street +/-81.8 linear feet Linden Avenue +/- 98.7 linear feet

Zoning Atlas Page: 2030 and 2035

Parcel ID: 016052 00028, 016052 00029, and 016052 00022

Existing Zoning: Commercial Mixed Use – 3 (CMU-3) and Commercial Mixed Use – 1 with Historic

Overlay (CMU-1[H]) with Midtown Overlay

NEIGHBORHOOD MEETING

The meeting was held at 3:00 PM on Wednesday, August 25, 2021, telephonically via Zoom.

PUBLIC NOTICE

In accordance with Sub-Section 9.3.4A of the Unified Development Code, a notice of public hearing is required to be mailed and signs posted. A total of 155 notices were mailed on September 29, 2021, and a total of 1 sign posted at the subject property. The sign affidavit has been added to this report.

CONSISTENCY WITH MEMPHIS 3.0

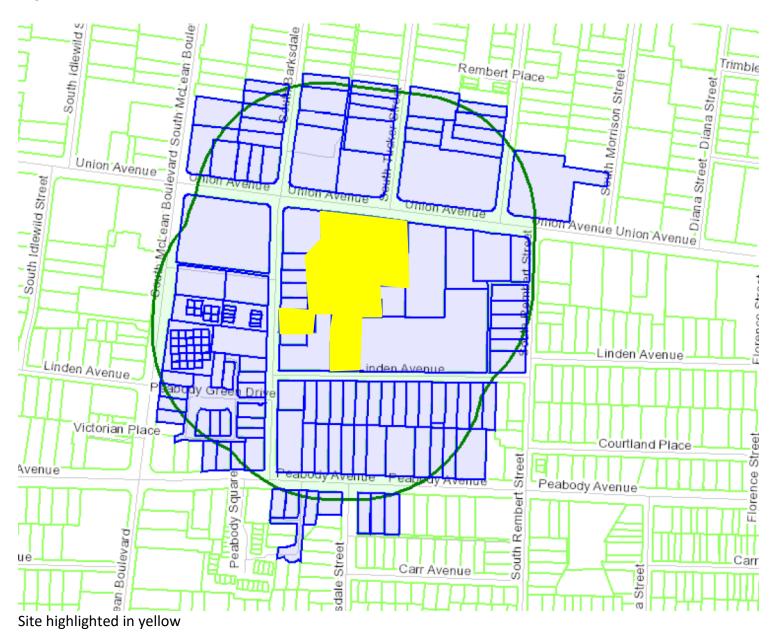
This proposal is consistent with the Memphis 3.0 General Plan per the land use decision criteria. See further analysis on pages 17-20 of this report.

LOCATION MAP



Subject property located within the pink circle, Midtown neighborhood

VICINITY MAP



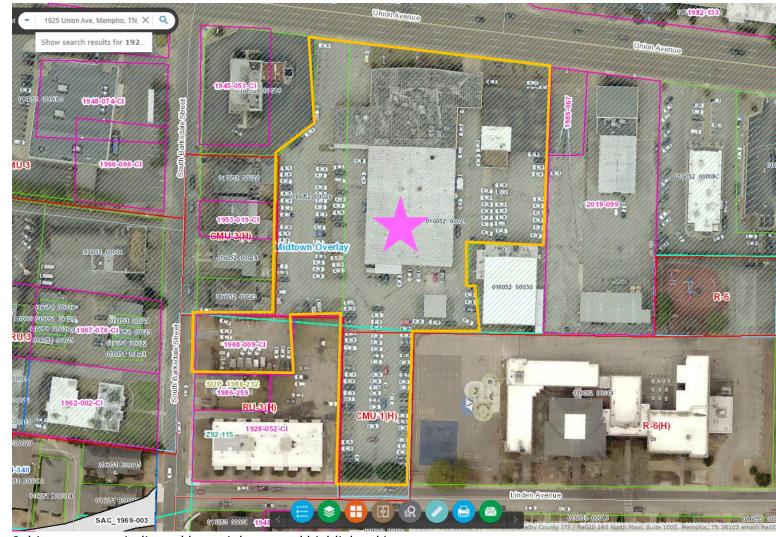
AERIAL



ANOTHER AERIAL PERSPECTIVE - GOOGLE EARTH PRO



ZONING MAP



Subject property indicated by a pink star and highlighted in orange

Existing Zoning: Commercial Mixed Use – 3 (CMU-3) and Commercial Mixed Use – 1 with Historic Overlay

(CMU-1[H]) with Midtown Overlay

Surrounding Zoning

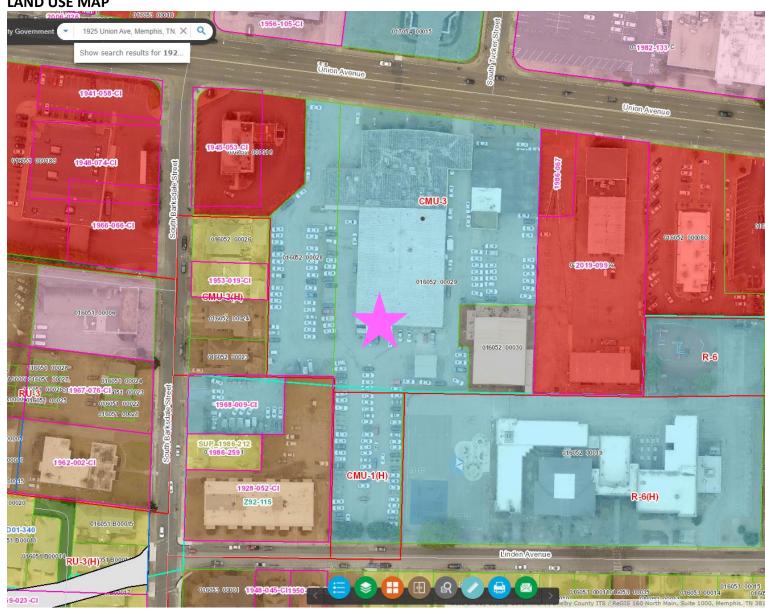
North: Commercial Mixed Use – 3 (CMU-3)

East: Commercial Mixed Use – 3 (CMU-3)

South: Residential Single Family – 6 (R-6 (H)) with Historic Overlay

West: Commercial Mixed Use – 3 (CMU-3)

LAND USE MAP





SITE PHOTOS



View of subject site from Union Avenue looking south



View of subject site from Union Avenue looking southwest

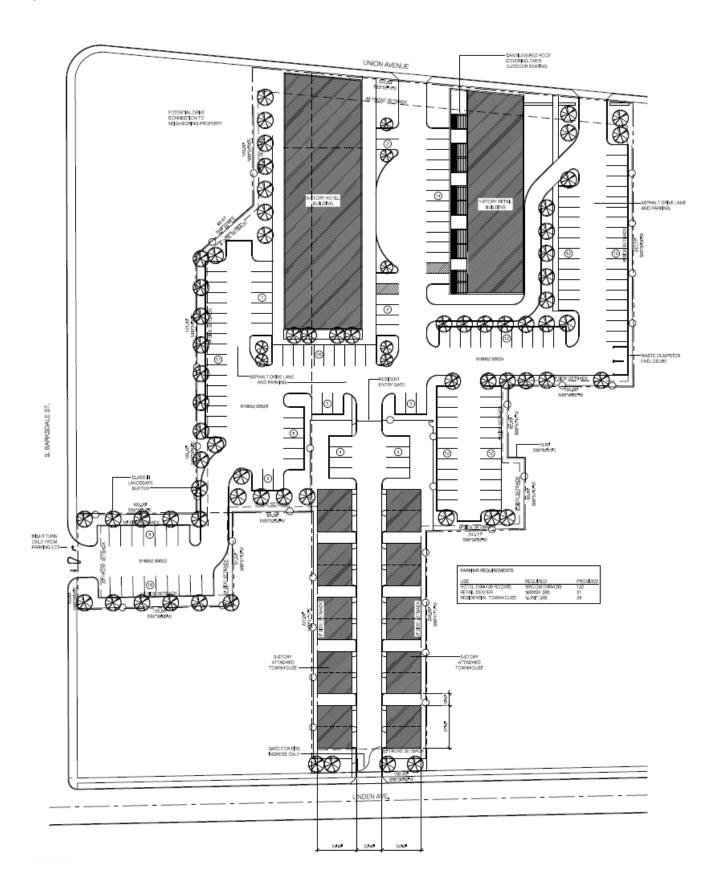


View of subject site from S Barksdale entrance looking east



View of subject site from Linden Avenue looking north

SITE PLAN



RENDERINGS



(Renderings have not been revised to reflect updated site plan)



October 14, 2021

(Renderings have not been revised to reflect updated site plan)

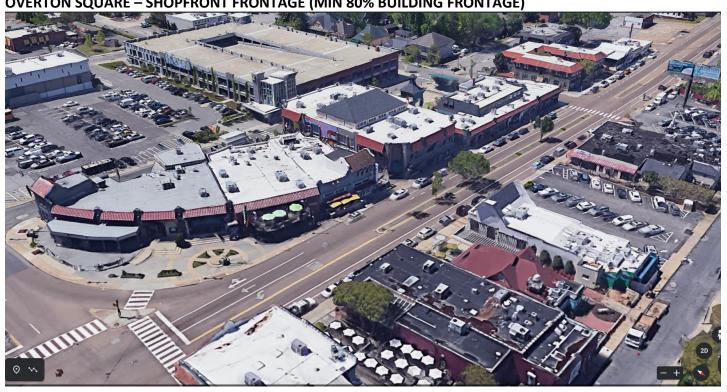


(Renderings have not been revised to reflect updated site plan)



(Renderings have not been revised to reflect updated site plan)

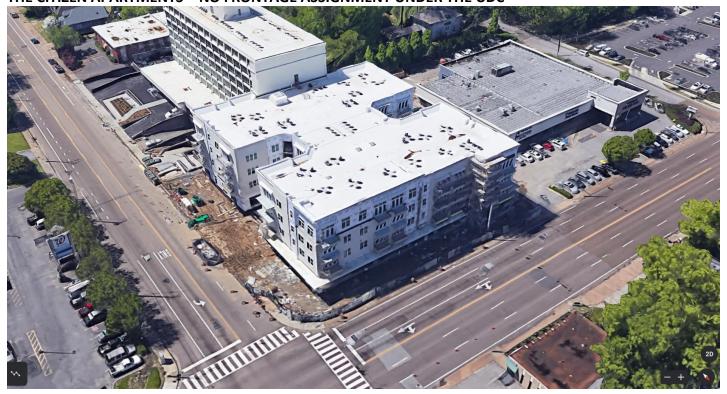
OTHER NEARBY EXAMPLES OF URBAN FRONTAGES – SEEN FROM GOOGLE EARTH PRO OVERTON SQUARE – SHOPFRONT FRONTAGE (MIN 80% BUILDING FRONTAGE)



RENASANT BANK AND CHIPOTLE - NO FRONTAGE ASSIGNMENT UNDER THE UDC



THE CITIZEN APARTMENTS – NO FRONTAGE ASSIGNMENT UNDER THE UDC



KROGER – NO FRONTAGE ASSIGNMENT UNDER THE UDC



STAFF ANALYSIS

Request

The application and letter of intent have been added to this report.

The request is for a mixed-use development to include retail, condos, and a hotel located at 1925 Union Avenue.

Approval Criteria

Staff agrees the approval criteria in regard special use permits as set out in Section 9.6.9 of the Unified Development Code are met.

9.6.9 Approval Criteria

No special use permit or planned development shall be approved unless the following findings are made concerning the application:

9.6.9A	The project will not have a substantial or undue adverse effect upon adjacent property, the	
	character of the neighborhood, traffic conditions, parking, utility facilities and other matters	
	affecting the public health, safety, and general welfare.	
	_, , , , , , , , , , , , , , , , , , ,	

- 9.6.9B The project will be constructed, arranged and operated so as to be compatible with the immediate vicinity and not interfere with the development and use of adjacent property in accordance with the applicable district regulations.
- 9.6.9C The project will be served adequately by essential public facilities and services such as streets, parking, drainage, refuse disposal, fire protection and emergency services, water and sewers; or that the applicant will provide adequately for such services.
- 9.6.9D The project will not result in the destruction, loss or damage of any feature determined by the governing bodies to be of significant natural, scenic or historic importance.
- 9.6.9E The project complies with all additional standards imposed on it by any particular provisions authorizing such use.
- 9.6.9F The request will not adversely affect any plans to be considered (see Chapter 1.9), or violate the character of existing standards for development of the adjacent properties.
- 9.6.9G The governing bodies may impose conditions to minimize adverse effects on the neighborhood or on public facilities, and to insure compatibility of the proposed development with surrounding properties, uses, and the purpose and intent of this development code.
- 9.6.9H Any decision to deny a special use permit request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record, per the Telecommunications Act of 1996, 47 USC 332(c)(7)(B)(iii). The review body may not take into account any environmental or health concerns.

Site Description

The subject property is +/- 3.66 acres split among three separate parcels that front along Union Avenue, South Barksdale Street, and Linden Avenue. The main frontage for this proposal would be along Union Avenue. The previous use of this site was the City of Memphis police station where many of the police vehicles were kept and before that it was the location of Hutchison School. The site is currently split zoned between Commercial Mixed Use – 3 (CMU-3) and Commercial Mixed Use – 1 with Historic Overlay (CMU-1(H)) in Central Gardens. The proposal would include condos, retail, and a hotel all on this site. The condos will be three stories in height, the hotel will be five stories, and the retail one story.

SITE PLAN REVIEW

- If approved, the uses would meet the UDC
- The height meets the UDC and the Midtown Overlay
- Parking spaces provided: 178, parking spaces needed: 170
- Access to the site meets the UDC with two curb cuts on Union and one on Barksdale
- Setbacks meet the regulations for the CMU-3 district
- *Currently this site has no frontage assignment per the Midtown Overlay. However, in the future, much of Union Avenue including this site will have an "Urban" frontage assignment, which means that there will need to be a minimum of 70% building frontage along Union Avenue. As the site plan is now, the proposal does not meet this regulation. See above for other examples of nearby Urban and similar frontages in Midtown.*

Consistency with Memphis 3.0

Site Address/location: 1925 Union Avenue, 0 Union Avenue, 192 S Barksdale Land Use Designation (see pages 88, 104 & 108 for details): Public & Quasi-Public Buildings & Uses, High Intensity Commercial and Service (CSH), Primarily Multifamily Neighborhood (NM)

Based on the future land use planning map, the proposal <u>IS CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan.

The following information about the land use designation can be found on pages 76 – 122:

1. Future Land Use Planning Map:



The red box indicates the application sites on the Future Land Use Map.

2. Land Use Description & Applicability:

1925 Union is designated as a Public and Quasi-Public Building and Uses (PQP). PQP areas are public buildings used for recreation or as an institution, such as schools, churches, community center, libraries, and civic buildings. These places are easily accessible by foot or automobile and have formal access points that address the street. Public and/or recreational buildings and spaces may be temporary uses. See graphic portrayal to the right.



"PQP" Goals/Objectives:

Institutional uses contributing to anchors, anchor neighborhoods, residential communities, contributions to civic space framework.

"PQP" Form & Location Characteristics:

Recreational and Institutional uses. Redevelopment where PQP is applied on the Future Land Use Map should consider initially development consistent with the surrounding land use type.

O Union Avenue is designated as a High Intensity Commercial and Service area (CSH). CSH areas are similar to low intensity areas in that they also attract residents from near and far for various commercial businesses and can service greater than a 3-mile radius. These areas are auto-oriented and located outside of anchors. Building sizes can vary in height, but have a much greater floor footprint with often more leasable space than low intensity areas, and often will not be suitable for future intensification of the area. See graphic portrayal to the right.



"CSH" Goals/Objectives:

Maintenance of larger-scale commercial centers where viable.

"CSH" Form & Location Characteristics:

Commercial and services uses with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map. One to seven stories in height.

October 14, 2021 Page 19

192 S Barksdale is designated as a Primarily Multifamily Neighborhood (NM). NM areas are characterized by their house and block size buildings that are a combination of attached, detached and semi attached homes. These neighborhoods are major residential hubs that consist of apartment complexes and condominiums, and located greater than a 10-minute walk outside of the closest anchor. See graphic portrayal to the right.



"NM" Goals/Objectives:

Improved development patterns along auto-oriented commercial corridors, revitalization.

"NM" Form & Location Characteristics:

Attached, semi-detached, and detached with house-scale and some block-scale buildings. Primarily residential with mixed use encouraged along avenues, boulevards and parkways as identified in the Street Types Map. One to three stories or more in height. Beyond 1/2 mile from a Community Anchor.

The applicant is seeking a special use permit for a hotel and condos on the parcels.

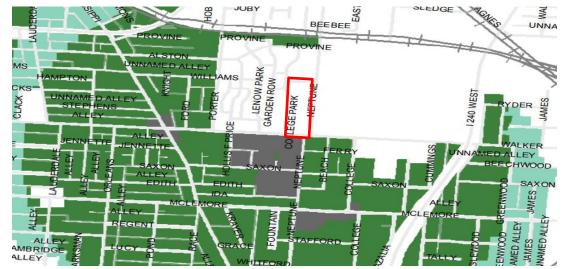
For 1925 Union, the proposed use does not meet the criteria. This parcel was owned by the City of Memphis and used for a police station. The parcel no longer functions as a police station and a sale is pending on the parcel to a private entity. For 0 Union and 192 S Barksdale, the proposed parking areas does not meet the criteria.

As the 1925 Union parcel no longer functions as a police station, PQP is not congruent as a Future Land Use. Planned future transportation improvements will support the proposed development. The uses proposed at 0 Union and 192 S Barksdale supports the functionally of the development. Furthermore, the development will not disrupt the current character of the neighborhood as it is located along a major corridor. Therefore, the use is consistent.

3. Existing, Adjacent Land Use and Zoning:

The subject site is surrounded by the following land uses: Commercial and Residential. The subject site is surrounded by the following zoning districts: CMU-3, CMU-3(H), R-6(H), RU-1. This requested land use is compatible with these adjacent land uses and zoning districts because *existing land use surrounding the parcels is similar in nature to the requested use.*

4. Degree of Change Map:



The red box indicates the application site on the Degree of Change Map. There is no Degree of Change for the site.

Based on the information provided, the proposal <u>IS CONSISTENT</u> with the Memphis 3.0 Comprehensive Plan.

Summary Compiled by: Melanie Batke, Office of Comprehensive Planning

Conclusions

The applicant is seeking to put a mixed-use development including townhouses, retail, and a hotel located at 1925 Union Avenue, the former location of a police station and Hutchison School before that.

The retail component (though no specific tenants have been identified) as well as the townhouses are by-right uses, so this Special Use Permit application focuses primarily on the hotel component along Union. The hotel is set to have anywhere from 100 to 120 rooms.

The uses have a range in height as the retail will be one-story, the townhouses will be three stories, and the hotel will be five stories. These heights all meet the Midtown Overlay.

The townhouse portion of the site, zoned CMU-1(H), will go before the Memphis Landmarks Commission after approval for the Special Use Permit is received.

Staff feels with the adoption of urban frontages along Union in coming time, that the retail and hotel buildings could front more on Union Avenue, as with the nearby Kroger, Renasant Bank, etc. However, the overall site plan meets the regulations of the UDC with adequate parking, height, setbacks, landscaping, among other aspects.

This project will not have a substantial or undue adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities and other matters affecting the public health, safety, and general welfare.

RECOMMENDATION

Staff recommends approval with conditions

Conditions

- 1. A landscape plan that meets all provisions of the UDC shall be submitted for administrative review and approval by the Office of Planning and Development.
- 2. Light fixtures installed on the site shall meet the requirements and standards of the Unified Development Code.
- 3. Lighting for parking shall be arranged/positioned to prevent direct glare onto any residential property.
- 4. No drive-thru restaurant uses shall be permitted on this site.
- 5. The applicant may need to submit a Trip Generation Report. This proposal shall be subject to the City Engineering Memorandum of Conformance process.
- 6. The City Engineer shall approve the design, number and location of curb cuts.
- 7. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

October 14, 2021 Page 22

DEPARTMENTAL COMMENTS

The following comments were provided by agencies to which this application was referred:

City/County Engineer:

CASE: SUP-21-021 NAME: Union Station

1. Standard Subdivision Contract or Right-Of-Way Permit as required in Section 5.5.5 of the Unified Development Code.

Sewers:

- 2. The availability of City sanitary sewer is unknown at this time. Once the developer has submitted proposed sewer discharge rates to the City's Sewer Design Dept, a determination can be made as to available sewer capacity.
- 3. All sewer connections must be designed and installed by the developer. This service is no longer offered by the Public Works Division.

Roads:

- 4. The Developer shall be responsible for the repair and/or replacement of all existing curb and gutter along the frontage of this site as necessary.
- 5. All existing sidewalks and curb openings along the frontage of this site shall be inspected for ADA compliance. The developer shall be responsible for any reconstruction or repair necessary to meet City standards.

Traffic Control Provisions:

- 6. The developer shall provide a traffic control plan to the city engineer that shows the phasing for each street frontage during demolition and construction of curb gutter and sidewalk. Upon completion of sidewalk and curb and gutter improvements, a minimum 5 foot wide pedestrian pathway shall be provided throughout the remainder of the project. In the event that the existing right of way width does not allow for a 5 foot clear pedestrian path, an exception may be considered.
- 7. Any closure of the right of way shall be time limited to the active demolition and construction of sidewalks and curb and gutter. Continuous unwarranted closure of the right of way shall not be allowed for the duration of the project. The developer shall provide on the traffic control plan, the time needed per phase to complete that portion of the work. Time limits will begin on the day of closure and will be monitored by the Engineering construction inspectors on the job.
- 8. The developer's engineer shall submit a Trip Generation Report that documents the proposed land use, scope and anticipated traffic demand associated with the proposed development. A detailed Traffic Impact Study will be required when the accepted Trip Generation Report indicates that the number for projected trips meets or exceeds the criteria listed in Section 210-Traffic Impact Policy for Land Development of the City of Memphis Division of Engineering Design and Policy Review Manual. Any required Traffic Impact Study will need to be formally approved by the City of Memphis, Traffic Engineering Department.

Curb Cuts/Access:

- 9. The City Engineer shall approve the design, number and location of curb cuts.
- 10. Any existing nonconforming curb cuts shall be modified to meet current City Standards or closed with curb, gutter and sidewalk.

Drainage:

- 11. This development is located in a sensitive drainage basin (Lick Creek). A grading and drainage plan for the site shall be submitted to the City Engineer for review and approval prior to recording of the final plat.
- 12. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Unified Development Code and the City of Memphis/Shelby County Storm Water Management Manual.
- 13. Drainage data for assessment of on-site detention requirements shall be submitted to the City Engineer.
- 14. The following note shall be placed on the final plat of any development requiring on-site storm water detention facilities: The areas denoted by "Reserved for Storm Water Detention" shall not be used as a building site or filled without first obtaining written permission from the City and/or County Engineer. The storm water detention systems located in these areas, except for those parts located in a public drainage easement, shall be owned and maintained by the property owner and/or property owners' association. Such maintenance shall be performed so as to ensure that the system operates in accordance with the approved plan on file in the City and/or County Engineer's Office. Such maintenance shall include, but not be limited to removal of sedimentation, fallen objects, debris and trash, mowing, outlet cleaning, and repair of drainage structures.
- 15. The developer should be aware of his obligation under 40 CFR 122.26(b)(14) and TCA 69-3-101 et. seq. to submit a Notice of Intent (NOI) to the Tennessee Division of Water Pollution Control to address the discharge of storm water associated with the clearing and grading activity on this site.

City/County Fire Division:

Date Reviewed: 10/8/21 Reviewed by: J. Stinson

Address or Site Reference: Union/Barksdale

- All design and construction shall comply with the 2015 edition of the International Fire Code (as locally amended) and referenced standards.
- Fire apparatus access shall comply with section 503. Where security gates are installed that affect required fire apparatus access roads, they shall comply with section 503.6 (as amended).

Staff Report SUP 2021-21

October 14, 2021 Page 24

- Fire protection water supplies (including fire hydrants) shall comply with section 507.
- Where fire apparatus access roads or a water supply for fire protection are required to be installed, such
 protection shall be installed and made serviceable prior to and during the time of construction except
 when approved alternate methods of protection are provided.
- A detailed plans review will be conducted by the Memphis Fire Prevention Bureau upon receipt of complete construction documents. Plans shall be submitted to the Shelby County Office of Code Enforcement.

City Real Estate: No comments received.

City/County Health Department: No comments received.

Shelby County Schools: No comments received.

Construction Code Enforcement: No comments received.

Memphis Light, Gas and Water: No comments received.

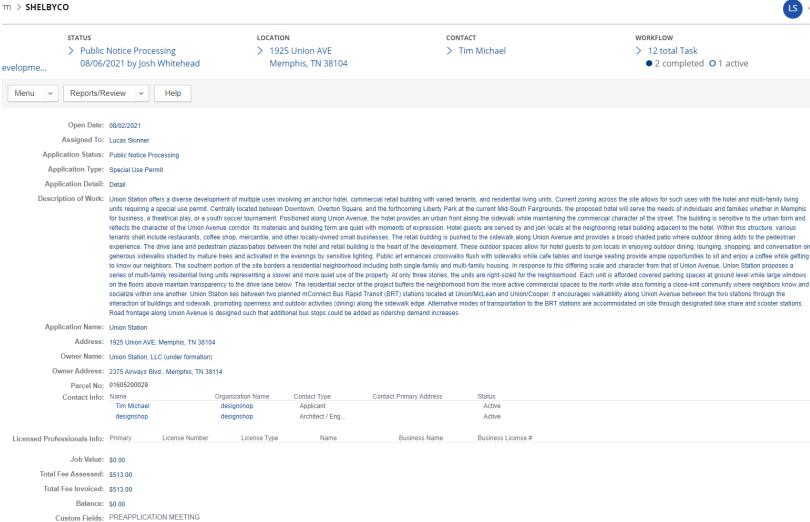
Office of Sustainability and Resilience: No comments received.

Office of Comprehensive Planning: No comments received.

October 14, 2021 Page 25

APPLICATION

Preapplication Meeting



Name of OPD Planner

Chip Saliba

Date of Meeting

07/08/2021

Staff Report SUP 2021-21 October 14, 2021 Page 26

STATUS

LOCATION

> 1925 Union AVE Memphis, TN 38104

Previous Case Number

CONTACT

> Tim Michael

WORKFLOW

> 12 total Task

2 completed O 1 active

Job Value: \$0.00 Total Fee Assessed: \$513.00

Total Fee Invoiced: \$513.00

Balance: \$0.00

Custom Fields: PREAPPLICATION MEETING

> Public Notice Processing

08/06/2021 by Josh Whitehead

Preapplication Meeting

07/08/2021

Date of Meeting Name of OPD Planner Chip Saliba

Is this application in response to a citation from Construction Code Enforcement or Zoning Letter?

Application Type

New Special Use Permit

General Information

If yes, please provide additional information

APPROVAL CRITERIA

APPROVAL CRITERIA

UDC Sub-Section 9.6.9A

Union Station is well-considered in terms of surrounding context, adjacent. Union Station will be constructed, arranged, and operated to be compatible. The site of Union Station is ideally positioned within the city and along a maproperly owners, and neighborhood character. The buildings of Union Station will be constructed, arranged, and operated to be compatible. The site of Union Station is ideally positioned within the city and along a maproperly owners, and neighborhood character. The buildings of Union Station will be constructed, arranged, and operated to be compatible. The site of Union Station is deally positioned within the city and along a maproperly owners, and neighborhood character. The building will will be constructed, arranged, and operated to be compatible. The central call of the construction of the site and serves as a busy, higical developments, compatible with Union Station's hotel and commercial rely serve the needs of Union Station. Parking will be provided on site and hybracer and a speed of vehicular traffic, and varying architectural styles, the building the property on contribute to any off-street parking on surrounding streets. Drainage from mercial uses and building types. Given the larger scale of Union, increase across Linden Avenue, and the condominiums of Union Station will be engineered and addressed on site according to lot amount and speed of vehicular traffic, and varying architectural styles, the other residential street atmosters building (hotel) of the development as well as the commerciuse of adjacent property. Addition themsts. Nothing at Union Station will interfere with future development and any operation of the site and contribute to the pedestrian experience. At the southern portion of the site, as series of three-story cond experience. At the southern portion of the site, as series of three-story conditions are conditions of the site providing a more quiet, slower pace to the site is from S. Barksdale along the western e

e Targer public buildings on site in an effort to not adversely affect in operates.

UDC Sub-Section 9.6.9D

UDC Sub-Section 9.6.9E

UDC Sub-Section 9.6.9F

UDC Sub-Section 9

LETTER OF INTENT



RE: Letter of Intent (LOI)
Case Number SUP 2021 - 021
Special Use Permit Application – Union Station
1925 Union Avenue
Memphis, TN 38104

Mr. Lucas Skinner, Municipal Planner Department of Planning and Development 125 N. Main St. – Ste. 477 Memphis, TN 38103

Dear Mr. Skinner:

As a representative of the ownership group for the planned Union Station development, I am writing to notify you of our intent to purchase and develop the property located at 1925 Union Avenue, currently owned by the City of Memphis and housing the former Memphis Police Department Traffic Division. We have reached a tentative agreement with the City of Memphis and are currently within our due diligence phase. Pending the outcomes of the Special Use Permit and Landmarks Commission approvals, we plan to complete the purchase and begin the design phase of Union Station, a mixed-use development including a signature hotel, commercial office/retail center, and multi-family condominiums.

Union Station is well-considered in terms of surrounding context, adjacent property owners, and neighborhood character. The buildings of Union Station are located on the site and scaled as a direct response to these factors. Union Avenue forms the northern edge of the site and serves as a busy, highly-trafficked artery through midtown that is bound by a wide variety of commercial uses and building types. Given the larger scale of Union, increased amount and speed of vehicular traffic, and varying architectural styles, the primary entries to Union Station are located on this major artery. Additionally, the largest building (hotel) of the development as well as the commercial retail building are pushed against the sidewalk along Union Ave. to generate an urban atmosphere along the street and contribute to the pedestrian experience. At the southern portion of the site, a series of three-story condominium buildings are located along Linden Avenue and within the historic Central Gardens neighborhood. Given the residential nature of this street and smaller scale, the condos fit nicely into this portion of the site providing a more quiet, slower pace to the street and its neighborhood character. The third point of access to the site is from S. Barksdale along the western edge. Given the unique location and shape of this portion of site, it is not conducive to any major building addition and thus will serve only as a secondary means of entering/exiting the site. The Union Avenue points of entry will serve the bulk of traffic onto the site, thus the Barksdale entry will be downplayed and serve only as a secondary means. All required parking of the buildings will be provided on site requiring no off-site parking. Parking areas are positioned behind the primary buildings in an effort to generate an urban atmosphere among the buildings and promote walkability while on site. In doing so, the presence of vehicles on site is

visually minimized. Parking areas serve as buffers between adjacent properties and the larger public buildings on site in an effort to not adversely affect those neighboring properties.

Union Station will be constructed, arranged, and operated to be compatible with the immediate vicinity, and it will not interfere with development of adjacent property. The Union Avenue corridor provides for larger scale commercial developments, compatible with Union Station's hotel and commercial retail building. The Central Gardens neighborhood is south of the property across Linden Avenue, and the condominiums of Union Station contribute to the residential street atmosphere along with the existing neighboring apartments. Nothing at Union Station will interfere with future development and use of adjacent property.

The site of Union Station is ideally positioned within the city and along a major vehicular artery through midtown. As such, existing infrastructure including streets, water, sewer, and electrical power are existing and will adequately serve the needs of Union Station. Parking will be provided on site and not contribute to any off-street parking on surrounding streets. Drainage from Union Station will be engineered and addressed on site according to local, state, and federal regulations. Required fire protection and emergency services will not place an undue burden on the existing services. Memphis Fire Station #11 and Methodist University Hospital are within 1.5 miles on the site along Union Avenue, allowing for ease of existing services. Refuse disposal will be accommodated on site by the developer through the use of a private waste collection company. The site of currently houses the abandoned facilities of the former Memphis Police Department Traffic Division. The existing structures will be demolished to accommodate the new development. None of the existing structures are deemed by governing bodies to be historic or otherwise significantly important. Additionally, the site contains no significant natural or scenic features that require preservation.

Union Station complies with all standards as set forth with the Unified Development Code with the exception of the Special Use Permit for the hotel. Union Station will comply with any additional standards set forth by authorizing bodies and intends to be a good neighbor, contributing to the overall improvement of the area, and in no way wants to inhibit or adversely affect any adjacent properties.

Assuming the Special Use Permit is approved on Sept. 9 followed by City Council approval on Sept. 21 and Landmarks approval on Sept. 23, we anticipate completing the purchase by December 31, 2021 and beginning design efforts immediately thereafter.

Thank you,

G2 Venture Group

SIGN AFFIDAVIT

AFFIDAVIT

Shelby County State of Tennessee

I, EMILY REDDING, being duly swor	m, depose and say that at 5:45 am/6m
on the 24 day of Aubust , 20	
pertaining to Case No. 2021-021 at 192:	5 UNION AVE, MEMPHR TN 38104
providing notice of a Public Hearing before	
U	y County Board of Commissioners for
consideration of a proposed Land Use	
Special Use Permit,Zoning D	
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October 14, 2021 Page 30



LETTERS RECEIVED

Several letters from neighbors and associations were submitted and attached for your viewing.



Lucas Skinner SUP 2021-21 1925 Union Avenue

Lucas,

Because the LUCB and MLC cases are similar in how they're regarded by Central Gardens, I'm including our comments pertaining our Design Guidelines and the project in general as it relates to CG.

While the majority of this project is not in Central Gardens, the proposed apartment buildings at the rear are. In reviewing the proposal, we found the following in relation to our Architectural Guidelines:

We have reviewed the proposed 1925 Union Avenue mixed-use development with respect to our design guidelines. The applicant's proposal includes apartments that lie within Central Gardens' historic district boundaries. While attractive and architecturally sensitive to other buildings in the proposed development, the apartments have a very contemporary design unlike surrounding historic properties along Linden Avenue and Barksdale Street.

Chapter 5 of our design guidelines specifically addresses new commercial and other institutional buildings in Central Gardens (including multi-family). Section 1.1 says new commercial construction "should be compatible with the historic character of the neighborhood." The proposed apartments clearly are not compatible with the surrounding neighborhood.

The proposed apartments are sited with their sides to Linden Avenue and rise to three stories with the blank side walls of garages presenting to the street. Presently, and historically, Linden Avenue consists of single and multi-family residences along with Idlewild Elementary School; all are one or two stories with their primary entrances facing Linden. This apartment design violates Sections 1.3 (mass and scale), 1.5 and 1.6 (entrances), 1.8 (building orientation), 1.10 (building height), 1.11 (street façade), 1.12 (architectural detail), and 1.13 (building materials) found in Chapter 5 of our guidelines.

Page 52 of the guidelines includes the special provision which incorporates all other provisions of the guidelines to apply equally to commercial buildings (all structures covered under Chapter 5). Consequently, this apartment design is not compatible with numerous sections of the guidelines found in Chapters 1, 2, and 3. These include materials, architectural details, windows, doors, roof, etc.

Staff Report SUP 2021-21 October 14, 2021 Page 32

Additionally, Appendix A of the guidelines speaks directly to site design and new construction, specifically enumerating and discussing sensitivity to building context, visual character and continuity, walkability, and street pattern (both form and materials). These overarching guidelines elaborate upon, explain, and reinforce the more specific sections found in Chapter 5 and elsewhere in the guidelines.

While perhaps handsomely complementing the overall mixed-use project design, the apartment building architecture reflects no appreciation of historic guidelines or historic patterns, and clearly fails to articulate with existing structures along Linden in any manner whatsoever. Regretfully, the architect has omitted one of the most elemental concepts taught in architecture school – building context.

Given this, we understand the project is likely to be approved. And we understand the LUCB is less concerned with our Design Guidelines, still, we ask the following be considered:

- Setbacks that match the adjacent apartment building.
- Pedestrian friendly approach at the Linden side.
- A gate at the Linden side for emergency use only, and if Barksdale is used, it should be North bound only. Vehicular traffic should be funneled to the three Unions Avenue exits.

Of utmost importance to Central Gardens from the LUCB view is safety and traffic control. These particular blocks of Linden and Barksdale experiences very heavy foot and vehicle traffic from Idlewild Elementary in addition to the homeowners on these blocks. We ask the developers to be sensitive to this and plan appropriately. We must not risk harm to the school children or current residents for the convenience of a few new tenants or residents.

Overall, we think it's going to be a nice asset to the area, and we're happy to meet with the developers as needed to find solutions that benefit everyone involved.

Best regards,

Shelly Rainwater

President, Central Gardens Association Chair, Central Gardens Landmarks Committee 10/1/2021

Mail - Skinner, Lucas - Outlook

SUP 2021-21: MIDTOWN Union Station

Gordon Alexander < carlstebbins@msn.com>

Fri 10/1/2021 9:42 AM

To: Skinner, Lucas < Lucas. Skinner@memphistn.gov>

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

- Mr. Skinner:
- I would like to personally thank Cameron Taylor and his staff for contacting us and, in 2 separate meetings, working out a compromise we believe will benefit both the developers and residents of the neighborhood most affected by this new development. We will come to the Oct. LUCB meeting in support of this project, as long as the following changes (listed below) are contained in the application, as it goes from LUCB to landmarks and eventually to City Council.
- It is our intent to close all entry & exit to the property from Linden, with one exception for emergency
 vehicles only (i.e. the fire department). It will be written into the property covenants in order to ensure
 that this provision cannot be changed in the future. It is our intent to secure the gate with a Medeco (or
 similar) lock to which only the fire department would have a key. We will coordinate this with the
 Memphis Fire Department.
- It is also our intent to provide speed bumps on Rembert and Barksdale to help reduce the speed at which people drive on theses streets. It will be incorporated into the plan we present to the City.
- It was requested that we take further action to mitigate traffic congestion by making traffic one way
 headed north from the exit on Barksdale. We have considered this suggestion and agree that it is a good
 idea I communicated this to Gordon Alexander shortly after the meeting. This proposal will also be
 incorporated into the plan we present to the city. We are not entirely certain it will be approved, but at
 the very least we will have an exit similar to the one Kroger has on Idlewild to deter people from going
 right.

Thank you,
Gordon Alexander, Midtown Action Coalition

Mail - Skinner, Lucas - Outlook

10/1/2021

Former Police Precinct

emma@theyellowhouseonunion.com <emma@theyellowhouseonunion.com>

Fri 10/1/2021 11:21 AM

To: Skinner, Lucas < Lucas. Skinner@memphistn.gov>

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lucas,

I am joining my neighbors in supporting this proposed development with the following conditions:

- All entry & exits to the property from Linden are closed, with the exception for emergency vehicles only
 (i.e. the fire department). We are asking that this condition be a permanent covenant to ensure that this
 provision cannot be changed in the future. The gate can be secured with a Medeco (or similar) lock to
 which only the fire department would have a key. This will be coordinated with the Memphis Fire
 Department.
- Speed bumps will be installed on Rembert and Barksdale to reduce the speed at which people drive on these streets. It is requested that this condition be written into the plan that is presented to the City.
- To mitigate traffic congestion, establish one way direction headed north from the exit on Barksdale. This
 request mirrors the exit that the midtown Kroger has on Idlewild.

I want to commend Cameron Taylor and his team for coordinating two community meetings at which they listened to the property owners in neighborhood and made the changes they said they would.

Best regards, Emma Childers, Owner The Yellow House On Union 1981 Union Avenue 10/5/2021 Mail - Skinner, Lucas - Outlook

Union Old Police Station

Terry Leitzell <terry.leitzell@gmail.com>

Tue 10/5/2021 1:06 PM

To: Skinner, Lucas <Lucas.Skinner@memphistn.gov>

Cc: Lucy Leitzell <leitzell.lucy@gmail.com>; Terry Leitzell <terry.leitzell@gmail.com>

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

We live at 221 S Barksdale St, Memphis, TN 38104. We have attended both neighborhood meetings with the developers.

Our house faces east, and looks directly down Linden St., with a three-way stop and double crosswalk in front of our home.

Our concerns are focused on the traffic on Barksdale and Linden, and on the residential density in the southern part of the proposed development. Barksdale already has heavy traffic southbound toward Peabody, with many cars speeding and ignoring the stop sign. Few cars come to a complete stop and probably one in ten completely ignores the stop sign, traveling 25-35 mph through the intersection of Barksdale and Linden. That is a significant danger to walkers to or from Idlewild School, and others including our grandson who walks on Barksdale to come to our house. The developers' proposed exit to Barksdale will be available to everyone on the development, including hotel guests and workers and condo residents. If they wish to avoid exiting onto the major thoroughfare of Union, they may head for Barksdale.

We support two approaches to these problems, both of them publicly supported by the developers. First is the installation of speed bumps on Barksdale between Union and Peabody. Second is a right-turn-only designation at the exit from the development to Barksdale, and a one-way south to north limitation on Barksdale from that exit to Union.

We support limiting the condo development as much as possible. Building condos on the old police parking lot would reduce light and a feeling of openness on the western side of the Idlewild School playground. We are concerned that the school has limited playground space, almost all of it paved. There is no turf or grass. We do not know if the developers have consulted the School administration. Perhaps when that occurs, the developers could offer to pay for playground design and improvements for a different surface and additional play equipment.

Thank you. We request that our comments be included in the record.

Sincerely, Terry and Lucy Leitzell

--

Terry Leitzell

10/4/2021

Mail - Skinner, Lucas - Outlook

Old Memphis Precint development

Ruth woodard <ruthwrn60@hotmail.com>

Mon 10/4/2021 9:22 AM

To: Skinner, Lucas < Lucas. Skinner@memphistn.gov>

CAUTION: This email originated outside of the City of Memphis organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a resident of midtown and who pays a hefty property tax as well, I am concerned with this development and all other recent developments that are being done in midtown. If our latest census is correct, I am confused as to why there are so many apartments and townhome developments going up. When I first moved to midtown you could actually drive around without cars extremely exceeding the speed limit, we also do not have the infrastructure to support this. I have had to recently have my brick wall repaired after someone ran into it, I live at the corner of Linden and Rembert. I cannot count the number of new apartments that have gone up in midtown and wondering who in the world is going to live in all of them, my assumption is they will become blighted properties in the next few years and this will eventually affect property values and tax revenue for the city, this is kicking the can down the road like the pensions. I am not sure the saying "build it and they will come" is a profitable way to increase revenue. I have now seen on Monroe the condos that were built are now being leased instead of sold, there is your first indication. The apartments on sam copper I am sure are a big disappointment to the people who built homes, I cannot phantom what our land use board is thinking, quick money turns into lost money down the road.

I do understand the need for a city to grown, but just putting up apartments and buildings does not mean a city is gowning, also a city cannot grow just in one spot. Memphis has one of the highest poverty rates in the country so again I am not sure why we are building so many structures that we cannot support. I love Memphis and have always supported this city in any way that I could but it is becoming hard to agree with all the waste that I see, and yes this is waste to constantly build when numbers do not support the number of structures. I am really not sure why the city did not hang on to the old precinct and support Idlewild Elementary for parking, possible meeting spaces even for the city and numerous other uses that could have provided by that structure. If we are trying to become Nashville, then we need to become one city and not all these different municipalities, that's what should be front and center for the city, not oh look there is grass let's build on

So now to the Old precinct, I am sure that it does not matter what any resident of this area would like to see, even though we are the ones who live here and pay a hefty property tax, but for safety for the kids Linden does not need to exit from the townhomes or condos, or whatever at any given moment someone tells us. We do need speed bumps to people will stop running into our fences and walls as well.

I believe their most recent proposal is as noted below.

That includes emergency-only vehicles access/egress at Linden, one-way north turn only onto Barksdale, the "new" redesigned condos from the original bland, box-like to something that blends in more with our neighborhood and 3 curb cuts on Union instead of 2, which will direct more traffic away from our neighborhood.

In closing could we please consider the historic component of Midtown, not many left in the county, and stop building on any parking lot or piece of grass that is left. We could also use some work on the streets

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10/4/2021

it.

Mail - Skinner, Lucas - Outlook

if it is a goal of the city to bring in more people, they are absolutely horrible. Here is an idea how about using the money made from the sale of this property and resurface our streets.

10/4/2021

Mail - Skinner, Lucas - Outlook

1925 Union Ave - Former Police Station

Emily Graves <emilytgraves@gmail.com>

Sun 10/3/2021 5:13 PM

To: Skinner, Lucas < Lucas. Skinner@memphistn.gov>

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Skinner,

I am very excited to see the development of the former police station at 1925 Union Avenue.

At a recent public meeting, neighbors voiced some concerns regarding the impact of this development, and my support of this project depends on these concerns being addressed. This project is surrounded by an elementary school, a bank, and a drugstore; as such, traffic is a huge concern and needs to be shunted out of the residential area. Additionally, this is a historic neighborhood with a fully established character and architectural style -- the project needs to blend in with the existing homes.

In brief, these are the points that need to be addressed:

- 1. Entrance/exit onto Linden Ave limited to emergency vehicles only.
- 2. Exit onto Barksdale one-way only (turning north)
- 3. Three curb cuts on Union Ave.
- 4. Noise buffers, placement of dumpsters away from nearby residences
- 5. Minimize light pollution particularly eliminate unwanted illumination of nearby residences
- 6. Stylistically fit into the neighborhood

I applaud Cameron Taylor for approaching the neighborhood and listening to our concerns. Properly executed, this development can be a benefit for the neighborhood and the city.

Sincerely,

Emily Graves, MD, FACS 1412 Carr Ave 38104

October 14, 2021 Page 38

10/4/2021

Mail - Skinner, Lucas - Outlook

Re: Police Station Property

Debbie Wright <jpw110906@gmail.com>

Fri 10/1/2021 8:38 PM

CAUTION: This email originated outside of the City of Memphis organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lucas. I'm Debbie Wright and I live at 174 S Barksdale. I am next door to the bank. Some of my email is likely a concern only for the developers but I want everything included so not to leave anyone out. I hope you will take the time to read my email completely and give fair consideration to my concerns and suggestions.

I don't agree with ALL of the proposal by the developers. They have come up with a remedy to appease residents who do NOT live on Barksdale, only those living on Linden. Those of us living on Barksdale will catch a lot of the added traffic. We already have traffic from Walgreens and the bank. I made a suggestion earlier to the developers and I stand by it. If the Barksdale entrance that comes with the police property is closed off and my house and possibly the house next to me is purchased, then an entrance/exit could be made without ANY disturbance to residential areas at all. As Cameron Taylor suggests Barksdale will be cutoff like Kroger did Idlewild St. His proposal for Barksdale is not the same. Kroger does not allow their traffic to go back into the neighborhood at all. If an entrance/exit was made with my property and possibly my neighbors all the added traffic would be forced to Union to serve ALL residents not just those Central Gardens residents who live on Linden. As you would exit from my proposed exit a forced right turn would divert you to Union. There would be no need for Barksdale to be a one way, but a one way from that point would be nice too.

In addition the developers should incorporate a minimum of an 8' tall concrete or brick wall, plus good sized trees along the backside of all the Barksdale properties for appearance sake and a noise buffer.

The developers need to do a careful placement of their dumpsters. They should be placed away from the Barksdale houses so not to disturb our residents.

Outside lighting should be carefully placed so it does not shine into the yards or onto the houses on Barksdale.

Why is it necessary to have a cut through from the police property to the bank? At times of the day the teller traffic is lined up and down Barksdale. This is going to create a further traffic jam...in addition to the school traffic. There are lots of times we are unable to exit or enter our own driveway.

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10/4/2021

Mail - Skinner, Lucas - Outlook

The latest proposal I saw was the new residential section being townhomes styled more to fit the neighborhood and no more than 20 units. I am a fan of this change.

I also agree 3 entrance/exits onto Union from the police property should be allowed.

I appreciate the opportunity to voice my opinion and suggestions. As I said I think this would better serve the whole neighborhood.

Debbie Wright

174 S Barksdale

JPW110906@gmail.com

10/4/2021

Mail - Skinner, Lucas - Outlook

1925 Union - Union Station

forblueskies04@aol.com <forblueskies04@aol.com>

Sun 10/3/2021 5:27 PM

To: Skinner, Lucas < Lucas. Skinner@memphistn.gov>

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I support this project, but only if the changes the developers agreed to in their meetings with Midtown Action Coalition are met. That includes emergency-only vehicles access/egress at Linden, one-way north turn only onto Barksdale, the "new" redesigned condos from the original bland, box-like to something that blends in more with our neighborhood and 3 curb cuts on Union instead of 2, which will direct more traffic away from our neighborhood.

I am a member of Midtown Action Coalition, and these developers have worked well with our group, listened to our concerns and suggestions, and accommodated us in most ways. As long as the condos are designed to blend in with the neighborhood, I believe this project will be an asset not only to the developers but to the neighborhood.

I attended Miss Hutchison's School on this site until the 6th grade in 1963, as did many female civic and professional leaders in Memphis. I am most interested in seeing a development here worthy of this historic school's heritage and devotion to Memphis.

Thank you.

Cary Schwartz

10/6/2021 Mail - Skinner, Lucas - Outlook

Police Station Property 1925 Union Ave

Kathy Zhou <zhou.kathyx@gmail.com>

Wed 10/6/2021 3:35 PM

To: Skinner, Lucas < Lucas. Skinner@memphistn.gov>

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Lucas,

My name is Kathy and I live at 1973 Linden Ave, Memphis, TN 38104.

I support the project so long as agreed-upon changes are met:

Those include emergency-only vehicles access/egress at Linden, one-way north turn only onto Barksdale, the newer redesigned townhouse condos (not the original box-like design) and 3 curb cuts on Union instead of 2, which will direct more traffic away from our neighborhood.

Thank you.

10/7/2021

Mail - Skinner, Lucas - Outlook

1925 UNION AVE CASE

Barbara Sysak <barbsysak@gmail.com>

Thu 10/7/2021 12:50 PM

To: Skinner, Lucas <Lucas.Skinner@memphistn.gov>

CAUTION: This email originated outside of the **City of Memphis** organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Skinner,

I am a resident of Central Gardens and would like to weigh in on this case for the development at 1925 Union Ave. On one hand, I am very happy to see such an improvement to Union Ave. I think the hotel, etc. will be an asset to Midtown. On the other hand, I am concerned about the extra traffic on our residential streets in Central Gardens especially on Linden at our Elementary School.

I attended one of the meeting with Cameron Taylor and was impressed that he and his team were seeking solutions for our neighborhood. This exercise is an excellent example of how developers and neighbors can work effectively together to solve civic issues.

I am in favor of the approval of the case if the following changes are contained in the application for LUCB and City Council. see below.

- It is our intent to close all entry & exit to the property from Linden, with one exception for emergency
 vehicles only (i.e. the fire department). It will be written into the property covenants in order to ensure
 that this provision cannot be changed in the future. It is our intent to secure the gate with a Medeco (or
 similar) lock to which only the fire department would have a key. We will coordinate this with the
 Memphis Fire Department.
- It is also our intent to provide speed bumps on Rembert and Barksdale to help reduce the speed at which
 people drive on theses streets. It will be incorporated into the plan we present to the City.
- It was requested that we take further action to mitigate traffic congestion by making traffic one way
 headed north from the exit on Barksdale. We have considered this suggestion and agree that it is a good
 idea I communicated this to Gordon Alexander shortly after the meeting. This proposal will also be
 incorporated into the plan we present to the city. We are not entirely certain it will be approved, but at
 the very least we will have an exit similar to the one Kroger has on Idlewild to deter people from going
 right.

Thank you very much!

Regards, Barbara

Barbara Sysak <u>barbsysak@gmail.com</u> 680 South McLean Blvd Memphis, TN 38104 551-689-3879- mobile

For your reading pleasure:

https://storyboardmemphis.com/

10/7/2021

Mail - Skinner, Lucas - Outlook

Case: SUP-2021-21 / 1925 Union Ave

Carol Winn <jinxwinn@gmail.com>

Thu 10/7/2021 2:11 PM

To: Skinner, Lucas < Lucas. Skinner@memphistn.gov>

CAUTION: This email originated outside of the City of Memphis organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Skinner -

I am writing regarding the proposed development of the old police station on Union Avenue (case number: SUP-2021-21) by the G2 Venture Group. I have attended two meetings with the developers to discuss the neighborhood's concerns about this proposed project, and I am the homeowner at 178 S Barksdale St (2nd house from the bank at the corner of Union and Barksdale).

First, I would like to say that I appreciate the developer's willingness to meet with the neighbors of this project - and I am not against commercial development of this property - but I would like the developers to minimize the impact on our residential properties and streets in Central Gardens - which, as you may know, already handle substantial traffic from the existing businesses on Union (particularly from the Walgreens), as well as school traffic, that impacts the residents on Barksdale, Linden, and Rembert.

To that end, I would appreciate the Land Use Control Board's serious consideration of the following suggestions that I believe would be positive requirements for this development.

- Allow a MINIMUM of three (3) curb cuts/driveways on Union two for the proposed hotel and one for the retail section. Union Ave is one long driveway already, with numerous businesses having full cut driveways in front of them, so I see no reason why this size property should be limited to the number of driveways. Bottom line is: NO COMMERCIAL TRAFFIC should be allowed access to the hotel/retail portion of the development on either Barksdale or Linden.
- Driveway access to the adjacent bank property at the corner of Union and Barksdale (number 7 on the site plan) should NOT be allowed. This will only serve to funnel commercial traffic onto Barksdale.
- Parking lot/driveway access on Barksdale should be for RESIDENTIAL development/drive-through ONLY - with no access to the hotel/retail parking lots (as is currently shown in the site plan).
- 4. The residential portion of the development should be limited to a maximum of two-story structures (townhouses or condos), with ample parking on-site for residents and guests of residents, so as not to overload the already-crowded Linden and Barksdale streets.
- 5. The proposed hotel should be no more than five (5) stories high.
- All exterior lighting (for building and parking lots) should be faced inward toward the building(s) (i.e., north and east) - and not directed toward any residential properties on Barksdale or Linden.
- All waste/refuse for the commercial portion of the development should be placed as far north and
 east on the property as possible, so as to minimize noise of waste pickup for residents along Barksdale
 https://outlook.office385.com/mail/inbox/id/AAQkAGI1N2Q00GM4LTNmMzgtNDY3Zi04YzFhLTgyMjMxMjkzNjA4MAAQANpL5cogoRplocdU17ZptlA%3D 1/2

^{*}continues onto the next page*

10/7/2021

Mail - Skinner, Lucas - Outlook

and Linden.

- 8. The commercial part of the development should be buffered from all residential properties on Barksdale and Linden by a continuous MINIMUM 8-foot high wall (finished brick or stone, not just cinderblocks or concrete), with an adjacent 6-foot green space around the perimeter planted with substantial trees and shrubs to help buffer the light and noise and provide security from the hotel/retail parking lots that will back up to our properties.
- 9. In order to deter commercial traffic driving south from Union onto Barksdale, strongly consider closure of Walgreens southern egress point on Barksdale (there is a north egress drive on Barksdale, as well as driveways on Union and McLean), and make Barksdale northbound only from the bank egress driveway (similar to what was done on Idlewild next to Kroger).

I appreciate your consideration of these recommendations. Again, it is not my intent to speak against this development - just to help alleviate/minimize the seemingly endless commercial impact on our neighborhood.

If you have any questions or require further clarification on these recommendations, please do not hesitate to contact me.

Regards -

Carol Winn 178 S Barksdale St 901.825.8585 jinxwinn@gmail.com